THE STRUGGLE FOR PAKISTAN

[I]SHTIAQ HUSAIN QURESHI

The Struggle For Pakistan is an authentic' well-documented story of the Pakistan Movement by a Pakistani.

Written by an eminent historian and sensitive observer of the events that led to the birth of Pakistan, the work represents the first serious attempt to construct a coherent story out of the mass of documents, memoirs, books, periodical literature and newspaper accounts that have a bearing on the period covered in the volume. The first five chapters discuss the social milieu, cultural orientation and national ethos of the Indian Muslims ; their recovery and regeneration under the insipiring leadership of Syed Ahmed Khan in the post-1857 period; the events leading to the demand for separate electorates, the birth of Muslim League, the Lucknow pact, the Round Table Conference, and the Government of India Act, and its working during 1937-39. The stage is thus set for dealing with the genesis and growth of the demand for Pakistan in its historical perspecfive. The suqseguent chapters deal with the tortuous course of negotiations during 1940-47 that ultimatly led to the birth of Pakistan.

Dr. Qureshi brings to his discussion a wealth of background knowledge, painstaking research, a broad and detached outlook, and, above all, the historian's technique of sifting the facts and evaluating and interpreting them in the light of contemporary events and circumstential evidence, and letting the facts, so sifted and evaluated, speak for themselves. Written in a lucid style, the book covers a good deal of new ground.

THE STRUGGLE FOR PAKISTAN

Publications of the University of Karachi

THIS SERIES published by the University of Karachi is intended mainly to furnish an outlet for the research work done by the staff of the University and others connected with it. The opinions expressed are those of individual authors who alone are responsible for them.

وَأَوْرَثْنَا الْقَوْمَ الَّذِينَ كَانُوا يُسْتَضْعَفُونَ مَشَارِقَ الْأَرْضِ وَمَغَارِبَهَا الَّتِي بَارَكْنَا فِيهَا

الاعراف ٧ ۔ آیہ ١٣٧

And We made a people who were looked (down) upon as weak the inheritors of the Eastern and Western parts of a land that We have blessed…

(*Quran, VII, 137*).

THE STRUGGLE FOR PAKISTAN

Ishtiaq Husain Qureshi

UNIVERSITY OF KARACHI
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NOTE ON THE FOURTH REPRINT

Ever since I assumed the responsibility of the University of Karachi as its Vice-Chancellor, it has been my endeavour to revive the spirit of research among the teachers. I believe that the University has potentialities, still untapped, which if properly channellised, will make this seat of higher learning an enviable centre of higher education and research in Pakistan. It is in view of this objective that a new series of publication has been planned, both to print past editions and publish fresh writings from the University teachers. This, I am sure, would provide due incentive to our faculty members. In fact, within a span of few months the B.C.C. & T. has brought out a number of publications. *The Struggle for Pakistan* is one of them. Some new publications are under way and it is heartening to note that our efforts to speed up academic work in the University have received due response.

As we know history is a concern of man, the being who has a memory and an imagination; with the removal of them, man is reduced to the status of fungus and stone. A stone has no history even if it is cut, chopped and sculptured into a god for the savages. History, however, is something to be handled with care. It is not the past to be negated and done away with. It is the past which may be one step behind the present but which, paradoxically enough, goes along with the future. The history of the struggle for Pakistan is no exception to this rule. What the Muslims of this sub-continent have gone through during the past one hundred years or so is so much alive and valuable to this and the generations to come. It has value not only to the Muslims of Pakistan but to Muslims wherever they are, still striving for freedom and dignity.

Dr. I. H. Qureshi's *The Struggle of Pakistan* is reprinted in view of its continued value, both academic and cultural. It has remained as yet the only authentic account of the Indian Muslims' striving which culminated in the birth of Pakistan.

30 October, 1984 Dr. Jameel Jalibi
Vice-Chancellor

NOTE ON THE SECOND EDITION

No substantial material has come to light since the publication of the first edition. The papers of the Qaid-i-Azam and Miss Fatima Jinnah have been taken by the Government of Pakistan and are still lying packed in boxes. The work on the repairs, restoration and classification of the Muslim League records has not advanced sufficiently to make it possible to give scholars and research workers access to them. Hence this edition does not differ materially from the first. Readers, however, will notice some improvements. Effort has been made to incorporate such relevant facts as have come to light in recent writings. Some additions have been made to the documentation as well. A few errors pointed out by some friends have been rectified. I am grateful to them for writing to me.

I. H. QURESHI

University of Karachi
31 August, 1969.

PREFACE TO THE FIRST EDITION

THERE are several books which deal with the fateful events leading to the establishment of the sovereign States of India and Pakistan. Most of them have been written by authors who were emotionally unprepared for the partition of the sub-continent. Hence their writings do not portray the attitudes of the Muslims correctly. It is necessary, therefore, to put the record straight.

It has not been possible to do full justice to the theme. The Qaid-i-Azam Mohammad Ali Jinnah was too busy to keep a diary. His private papers are in the custody of his sister, Miss Fatima Jinnah, and are not available to the students of the period. His principal lieutenants and others who were intimately connected with the hectic negotiations leading to the establishment of Pakistan have not left any memoirs. An attempt was made to interview some persons, but they refused to co-operate for one reason or another. This book is, therefore, mainly based on published authorities or such archives as are available. It cannot claim to disclose any new source material. This is not due to any lack of effort on the part of the author or his collaborator, Dr. K.K. Aziz. The latter went to several political leaders bearing letters from the author but he received little co-operation. Either the persons contacted were too busy or they expressed their intention to write themselves. It is earnestly hoped that they commit to writing what they still remember, because human memory is capable of playing curious pranks with facts. One of the senior leaders has died recently and history is poorer because he could not find time to write his memoirs or narrate some of the events to Dr. Aziz.

However, every effort has been made to consult the available material and records. Dr. Aziz was sent to England to supplement the information that was available in Pakistan.

An effort has been made to let the facts speak for themselves. This is the reason for many quotations, but comments have not been stinted.

My indebtedness to Dr. K. K. Aziz is very great. His services were placed at my disposal by the West Pakistan Department of Education. I could not have hoped for a better colleague. I found him mature in judgment, industrious, scrupulous, balanced and well-trained in modern methods of research. He lightened my burden by collecting a good deal of relevant material and preparing most of the first drafts. Without this help I would have found the preparation of this treatise impossible in view of my other commitments. I may, however, mention that the opinions in the form in which they appear are mine and I take full responsibility for them.

This book has been made possible by a generous grant from the Government of Pakistan who also used their good offices in securing for me the services of Dr. K. K. Aziz.

I must record my gratitude to several friends and colleagues. Mr. Hilal Ahmad Zubairi has helped me with reading the proofs, Mr. Sharif-ul-Mujahid has checked the references and Mr. Anis Khurshid has prepared the index. The staff of the Department of Publications and the authorities of the Inter Services Press Limited have placed me under great obligation by their patience and cooperation. Mr. S. Zoha, in particular, has gone through the last proofs meticulously and has eliminated many errors.

I. H. QURESHI.

University of Karachi,
12 April, 1965.

Note on the transliteration of names

Some non-Pakistani readers will feel bewildered by the fact that no uniform method has been adopted for the transliteration of names. The same word occurring in different names has been transliterated in various ways. This is because the names of places have been transliterated in accordance with the accepted official transliteration in the British days, which was chaotic because it was not scientific. The names of persons have been spelt in the manner in which they themselves spelt them. Where the person concerned did not use English, his name has been correctly transliterated but diacritical marks have not been used.

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CHAPTER 1

Introductory

India

When the Muslims demanded a separate sovereign state embracing the Muslim majority areas in the subcontinent, many neutral observers of the Indian scene were taken aback. Even today Pakistani writers find it necessary to explain the *raison d'etre* of their country. When the world gets accustomed to the existence of a geographical or political unit, it becomes exceedingly difficult to argue that its dismemberment was justified or necessary.

It is an irony that the Muslims have to struggle against the tyranny of a word which they themselves began to use in the sense in which it was used until 1947. Historically *India* is part of the region that constitutes West Pakistan, because it is the area drained and irrigated by the river Indus. *Hind*, from which is derived the name India, is a phonetic variation of *Sind,* still applied to the southern part of West Pakistan. Indeed the Indus is locally called the Sind, and it seems that it is the river that derives the name from the area and not *vice-versa,* because at the time of the Arab conquest, the river was called Mehran. It was

after the Arab conquest that the name Sind came to be applied to territories much beyond modern Sind and gradually it came to pass that the variants Hind and Sind were used, as synonyms, for the entire subcontinent. Slowly there entered a distinction and Hind became the Muslim name for India. It gained currency because the Muslims found no indigenous name for the subcontinent. The conception of a land called India was created by the Muslims, before whose rule its several parts were known by different names. In fact, having seldom known political unity, it was a collection of several countries with their distinctive languages and customs, though it had a certain amount of homogeneity because of a common civilization and outlook on life. The various philosophies and religions that sprang from its bosom were mostly based upon a set of common assumptions regarding cosmology and life.[1]

It was because of this homogeneity that the Muslims were led into giving the same name to the entire area. However, they did not discard the names of the various constituent units of the subcontinent. When Europe came into contact with South and South-East Asia after Vasco da Gama's successful trip to Calicut, the word Indies was applied to a much larger area than the subcontinent. Indonesia, a collection of many islands, some of which have their own characteristics, was included. Of course Indonesia is a modern name. To the European trader or colonist, it sufficed that the people, so different amongst themselves, were not Europeans and possessed some common characteristics being the inhabitants of a region that had been subject to certain Indian influences. So far as India was concerned, it had been, at one time, with minor exceptions, under the Muslim rulers of Delhi in the fourteenth century and was once again being brought rapidly under Mughul rule during the seventeenth century. Thus Europeans and Indians themselves got used to the idea of India being in fact or potentially a single political unit.

The establishment of British rule in the subcontinent and its expansion to its farthest corners brought the territories

[1] I. H. Qureshi, *The Muslim Community of the Indo-Pakistan Sub-continent* (The Hague: 1962), pp. 60, 61.

into much closer contact with Europe. When the nabobs returned to England and bought rotten boroughs with wealth accumulated in India, the fame of the subcontinent spread all over Europe. Thus India became the source of British wealth and power and Europe was dazzled with the brilliance of the brightest jewel in the British crown. Thus was built a legend about India that entered fiction and song. And this was one, undivided India. The fissures remained hidden because they only helped the British in building up their power and were of little concern to any one else.

It was assumed that India must be inhabited by Indians and as such they would form a nation and if there were a few groups somewhat different from the rest, they would be cultural, religious or perhaps ethnic minorities. And because once the Muslims had ruled the land, their existence was not totally unknown, but, then, as the term Muslim implies, these must be Indians with just a different religion. And, as a corollary, it was assumed that if they demanded separation, it was only on religious grounds. But then why should religion play such an important role in the twentieth century that people, otherwise the same, should call themselves a nation simply because they profess a different religion?

This thought was reinforced with the success of Hindu propaganda. Gandhi and other leaders posed the question: How can a body of converts be a nation?[2] And this question has found an echo in many parts of the world, because it embodies a plausible half truth. Gandhi must have been aware that this was an oversimplification of a much more complex problem, but because it made a good propaganda point, it was repeated from many platforms and in many statements. Let us examine the question a little more closely.

Religion

Both Hinduism and Islam are different from the religions prevalent in the West. Hinduism is not an attachment to a dogma, it is the name of a social system. It has a basic philosophy, it is true, but this philosophy is pervasive and does not assume the form of a

[2] Vide *infra*, p. 214.

credo. It is possible for a Hindu to hold any belief antagonistic to one or all assumptions of the philosophy. In the course of history large sections of Hindu society have done so, but so deeply ingrained are these basic assumptions in the thought of the people that the rebellions have not lasted. The important fact is that it is possible to deny the truth of any belief howsoever universally held and yet to remain a Hindu. The reason is that if the Hindu social code is not transgressed seriously in matters that integrate Hindu society, there is no excommunication. And the essence of the social code are the caste rules. Nevertheless it is possible even to break the caste rules, because if it is done by a sufficiently large group, it can constitute a caste group of its own. Sooner or later it begins to conform to the general principles once again. These rebellions being against particular points do not seriously militate against the all powerful social bonds of Hinduism.

It is interesting to note that the institution of the caste plays a dual role. It binds individuals and groups to Hindu society. The caste system gives sufficient autonomy to groups to draw up their own codes of belief as well as action, but because the all permeating philosophy is constantly influencing their thought and action alike to an extent that it becomes the very air they breathe, the homogeneity of Hindu thought and society is maintained. This autonomy also permits the absorption of new groups, and it was in this manner that many immigrating tribes were integrated into Hindu society. It was this quality of Hinduism that filled the Muslims with the greatest apprehension. They wanted to maintain their entity and were averse to any dilution of their creed. The latter was an ever present danger because of the all pervasive nature of Hindu philosophy which was woven into the warp and woof of native thought.

The other quality of the caste system is somewhat contradictory to the former. It breeds an exclusiveness which makes even social contacts somewhat difficult. By its interdiction of intermarriage, inter-dining and sometimes even touching persons belonging to other castes, it almost forbids familiar contacts with others. This has been particularly true of the Hindu attitude towards foreigners who have been branded as *yavanas* and *melech-*

chhas. The former comes from Ionia and was first applied to the Greeks and the latter is indigenous in origin and applies to any one outside the pale of Hinduism; both are used contemptuously; both imply that the person is unclean and his touch would pollute food, utensils, the dining area and even the fire place. Orthodox Hindus would take a bath after the day's business if it has brought them into contact with non-Hindus.[3] Under these circumstances it is not surprising at all that the Hindus and the Muslims, despite having lived as neighbours for centuries, remained distinct and separate.

The Muslim attitude also did not help integration. In antithesis to Hinduism, Islam is a religion with a *credo* and no one can legitimately call himself a Muslim if he ceases to believe in God, His unity and the mission of the Prophet, Muhammad. Islam also has built up a system of law that governs society. It believes in the existence of an organized community of believers and because there is no church, the Islamic law is the main cementing agent in society. This law is in many ways antithetical to the Hindu code in its basic assumptions. Unlike the Hindu caste system, Islam rejects birth or profession as a source of pride or superiority. It believes in the brotherhood and equality of all believers. It does not brand any one as inferior on the basis of race, colour or descent. The non-believer is in error, it is true, and, therefore, not like a Muslim, yet, as a human being, he is not inferior, because he is potentially a believer through conversion. It does not treat any person as physically unclean whose touch could pollute anything. It, therefore, builds quite a different kind of a society. Thus the Hindu and Muslim social systems could exist side by side but they could not work for integration. Besides, because the Muslims were in a minority and were conscious of the possibility that the environment might weaken their adherence to their principles, they were, most of the time, actively engaged in preventing their absorption into the *milieu*.

Race

Soon much more got involved than religion alone. For this it is necessary to go back to the beginnings of Muslim society in the

[3] Nirad C. Chaudhari, *The Autobiography of an Unknown Indian* (New York: 1951), pp. 381, 382.

subcontinent. As is well known, the earliest settlers were Arab merchants who had established themselves in important seaports. Here they were permitted and sometimes even encouraged to receive some Hindus into their fold as converts. Some of the settlers married Hindu wives and had children by them. The entire community so constituted was protected by the rulers who valued them as agents for overseas trade. However, sometimes they were the target of mob violence when, despite the patronage of the rulers, they had to fend for themselves as best as they could. In such *pogroms* they were treated as a single community; the local people did not distinguish between the Arabs and the converts. They were all Muslims.

When Northern India was conquered by the Muslims, they were confronted with the problem of controlling vast territories with almost insignificant man power. It must be remembered that the native population was not docile. Whenever and wherever it could, it was prone to rebel, withhold revenue and disrupt communications. The efficacy of conciliation was recognised and successful attempts were made to win over large sectors of Hindu society through concessions and a liberal administration.[5] But in a situation where an alien minority imposes its rule upon a civilized and proud people, conciliation alone is not enough. All governments have to possess the ultimate sanction of force. In particular, if the territories are far flung and the communications not easy because of thick forests and large rivers, as was true of the early Muslim Empire in the subcontinent, it is necessary to guard the routes and to keep the local population under control. This was achieved by planting Muslim colonies in strategic places where they were entrusted with the responsibility of maintaining peace. In view of the large areas under their control and their own small numbers, this was by no means an easy assignment. In the beginning every Muslim community was little better than an armed camp in the midst of a hostile people, who were armed as well as warlike. In that age the difference between an army and an armed

[4] I. H. Qureshi, *The Muslim Community of the Indo-Pakistan Sub-continent*, *op. cit.*, p. 61.

[5] I. H. Qureshi, *The Administration of the Sultanate of Dehli* (Karachi: 1958), p. 217, *et seq*.

rabble was proverbially small. These settlements, when they started, were entirely Turkish and Central Asian, but soon small numbers of converts joined them. Because they faced common dangers they were soon integrated into well knit communities. And what is even more significant, the Hindus did not distinguish between the Turk and the convert. In those days every Muslim was called a Turk in the areas where Muslim rule had been established by the Turks.[6]

It is quite true that there are many descendants of Hindu converts to Islam among the Muslims of the subcontinent. But Gandhi was certainly exaggerating when he branded the entire Muslim community as a body of converts. There are large sections of the Muslim population in the subcontinent who are the progeny of immigrants from other Muslim lands. Throughout the period of Muslim rule, migration from other Muslim countries was encouraged. This was true even in the twentieth century of the Nizam's dominion. The Muslim rulers were so conscious of the shortage of their man power that every immigrant was looked upon as an asset. Administrators, poets, theologians, physicians, scholars, engineers, mystics, ordinary soldiers and even humble craftsmen were all welcome. There are innumerable families who trace their origin from some foreign settler and all these claims are not ill founded. The largest immigration took place because of the ravages caused by the Mongol inroads into the Eastern lands of Islam and as early as Balban's reign in the thirteenth century Delhi was thronged with Muslim immigrants of distinction from many lands.

The Muslim population of the subcontinent absorbed layer upon layer of Arabs, Turks, Afghans, Iranians and others.[7] The fact that the Muslims of India belong to so many racial stocks has had a profound effect on their psychology. The Muslim community was integrated into a new group that transcended the barriers that might have divided it if people of different origins

[6] I. H. Qureshi, *The Muslim Community of the Indo-Pakistan Sub-continent*, *op. cit.*, pp. 87, 88.

[7] *Ibid.*, pp. 80-82.

had adhered to their particular traditions too strictly. This integration was made easier by the fact that Islam is not only a religion, but also a social system and a way of life. The Hindu convert also was not only admitted to a new faith, but also to a new society. That was the reason why, for a long time, the Hindus would say of a fellow Hindu who had become a Muslim that he had "turned a Turk". The convert adopted a "Muslim" name in the sense that it was of Arab, Iranian or Central Asian origin, broke all conscious ties with the culture of the society to which he had belonged and integrated himself fully into the Muslim community.[8] Thus even the Hindu convert came to look upon the culture of the Muslim community of the subcontinent as his own. Therefore Gandhi's argument was wrong from another angle as well. The Hindu converts to Islam became culturally as foreign to Hindu culture as the Muslims of a foreign origin.

The Muslim culture that developed in the subcontinent had, it goes without saying, its roots in the teachings of Islam. In its fundamentals Islamic culture is the same all over the world; and yet in many ways it has been affected by the habitat it has entered. These peculiarities have accompanied people migrating from one region to another. Because of the long contacts with Central Asia through a large number of immigrants, Indo-Muslim culture is overwhelmingly Central Asian in details. The Muslim rulers of the subcontinent were mostly of Central Asian origin and so were their courtiers, officials and soldiers. The communities that were planted to consolidate the empire were mostly Central Asian in their composition. Except for their language they forgot very little and most often without knowing it, perpetuated cuisine, habits, customs and ideas that their forefathers had brought with them. As Persian was the official language, the poetry and literature of Iran also had a deep influence which was strengthened when the Mughuls encouraged Iranian migration and also because of the conversion of some of the rulers of the Deccan to Shi'ism. The Arab influence was pervasive because of Islam and the earlier contacts with Arab lands.

[8] *Ibid.*, pp. 93-101.

Because of this history, Islamic culture in the subcontinent was neither entirely Arab, nor Central Asian, nor Iranian. Nor for that matter was it simply a mixture of all these. Indian influences had crept into the life of the community. These occupied a minor and subsidiary position, nevertheless they contributed a local flavour to what otherwise would have been entirely foreign. In this manner was evolved the culture of the Muslim community of the subcontinent, which was predominantly Islamic and Central Asian, but which evolved its own individuality.[9] If the entire subcontinent had been converted to Islam, this culture would have been called Indian, just as the Central Asian, Turkish, Iranian and Arab cultures are known by the names of their habitats in spite of being the variants of the culture of Islam. Indeed, the Muslim world did call the Muslims of the subcontinent 'Indians' and their culture also was dubbed by the same name. It must, however, be remembered that this term was used exclusively for the Muslims,[10] because the Muslim world at that time was concerned mainly with the Muslims of the subcontinent, and only their achievements attracted any attention in Muslim writings. A world in which numbers were not so important judged whether a land was Muslim or otherwise by the extent to which Islam exercised supremacy in it.

Within the subcontinent, however, the Muslims could not call themselves just 'Indians', because there were many more Indians who were so different from them. And their struggle to save their entity could not be just to protect their "Indianism". They were anxious to live as Muslims, because only thus they could protect their faith which was the cornerstone of their culture. They could no longer call themselves Turks, Iranians or Arabs because they had ceased to be any of these. Hence they adopted the name of 'Muslims of India' and within the subcontinent itself they called themselves merely 'Muslims'.[11]

[9] I. H. Qureshi, *The Pakistani Way of Life* (London: 1957), pp. 5-14.

[10] The Indian Muslims were called by Arab Authors *Hunud,* precisely the term that the Muslims of the subcontinent used for the Hindus. When in the 20th century the Arabs woke up to the importance of the Hindus, they began to refer to them as *Hunudas,* a corruption of the English word Hindus.

[11] They preferred to call themselves *Musalmanan-i-Hind,* never *Hindi Musalman.* Sometimes, though seldom, they used *Hindustani Musalman.*

A nation without a name

Thus it came to pass that a distinct nation developed within the subcontinent that continued to live without a name. And, despite Shakespeare's dictum to the contrary, there is a good deal in a name. For the better part of a century, they continued to look upon themselves as a religious minority, simply because they had failed to find a suitable name for themselves. In spite of their instincts which led them in the direction of complete separation, they sought the safeguards that they thought would ensure their communal existence. They were also described and treated as a religious minority by the British. In this manner the confusion created by the absence of a name continued as a sinister factor to play havoc with their own thinking and the thinking of the world about them. If they were just a religious minority, then, it seemed, it was preposterous that they should demand a separate existence. It was for this reason that Gandhi advanced his argument that mere converts could not claim to be a separate nation.

Implied in all this thinking was the fallacious assumption that the Muslims of the subcontinent had every thing in common with the Hindus except their religion. The situation in fact was that the two peoples had little in common. It has already been mentioned above that Islam and Hinduism build two entirely different kinds of society. But it was not only social structure that was different. The variance ran through all the details.

For finding this one had only to walk from one street to another and sometimes from one house in the same street to another house. To start with, in spite of a superficial similarity in architectural forms, the houses were quite differently planned. The Muslim houses would be spacious, airy and more open to light. A smaller area would be covered to ensure larger space for sitting out in the mornings and the afternoons and also for catching the breeze during the hot nights. The Hindu house would, in the same area, have more building, the rooms and verandahs would be smaller and there would be less space left open to the sky. To the reader the difference described here might look insignificant, but this would not be the impression upon the visitor. The Hindu house almost invariably exuded a sense of secretive exclusiveness which

was not found in Muslim houses. Then the visitor would notice that the utensils were different; they were not made even of the same metal. The utensils in Muslim houses would be of copper tinned to look white, or china or enamel, depending upon the means of the family. In the Hindu home they would be of brass, their shapes would be different. The Muslims would use ewers, basins, cups, dishes, trays and plates like the ones used in Central Asia or Iran, whereas the Hindus would use spoutless mugs (*lotas*) and round trays (*thalis*). In most areas Muslim men and women would be differently clad.

All this holds good even today, though in some of the highly Westernized families, to the extent that Western articles have come into use, the differences might be less marked. The cuisine also is entirely different and there has been very little borrowing. Recently dishes of Mughul origin have been adopted in India for the purpose of entertaining foreigners. If the visitor were to probe a little deeper he would find that customs and ceremonies were quite different. There were no common festivals, no means of intimate contacts, because there was no inter-dining or inter-marriage, and no basis for a common outlook upon life.

If the same visitor were to walk further down the street, he might come across a mosque or a temple. Here the difference, as might be expected, would be even greater. The average mosque has minarets and domes and the prayer hall is pierced with arches. There is at least a hall, there may be cloisters on the three sides and a place for ablutions. In the hall there would be a pulpit and near it a niche to mark the place where the *imam* stands to lead the prayers. The building is open and there is no atmosphere of mystery. It is simply a place where believers gather to offer congregational prayers. The temple is not intended for a congregation, it centres round the image of a deity. it may have subsidiary chapels housing the images of other deities and devotees walk in single file to see the image and to offer their homage. The image is generally in a semi-dark room lit with lamps, creating an atmosphere of mystery and awe. The architecture is generally trabeate.

The division runs through literature as well. Even when the spoken languages approximated as they had to because the two

peoples lived next door to each other, there was a distinct difference in the flavour and vocabulary of the Hindu and the Muslim idioms. The best examples to illustrate this point are Hindi and Urdu. Both possess a common Prakritic syntax. When used for the exchange of common ideas in the bazars, they were called, very often, Hindustani. At that level most, though, by no means, all, of the vocabulary was common. When Hindustani went beyond that stage and was used for polite conversation or literary purposes, it became either Urdu or Hindi. If it was Urdu, it was written in a modified Arabic script and had a large percentage of Arabic, Persian and Turkish words, in that order of frequency. Hindi was written in a Sanskritic script and had a similarly high percentage of Sanskrit words. In this manner one language could become quite unintelligible to one who knew only the other. And when it came to poetry, the difference went much deeper. In Urdu the forms, the thought and the imagery were borrowed from Iran and Central Asia; in Hindi they were indigenous. Urdu poetry exuded the nostalgia for lands that had been left behind long ago but never forgotten. It sang of "the cooler lands where roses bloomed and nightingales sang, where lilies made the air fragrant and tulips carpeted the forests, where the plane trees brightened the autumn with their red leaves and cypresses stood sentinel on the running springs."[12] It believes more in metaphor than in simile, more in abstraction than in description, more in mystic verities than in mundane love, more in the philosophy of emotions than in actual emotions. Hindi poetry relies for its charm upon a portrayal of the local environment, upon telling similies to make its points, upon appealing to ordinary human experience. Hindi and Urdu have been chosen as examples because these trends are clearly defined in these two languages. In varying degrees the differences in the Hindu and Muslim approaches persist in other languages of the subcontinent as well, in case they have been used by approximately the same number of eminent Muslim and Hindu writers.

It would be tedious for the reader if this discussion is prolonged too much to cover other fields as well. But the difference persists

[12] I. H. Qureshi, "Islamic Elements in the Political Thought of Pakistan", *Tradition, Values and Socio-Economic Development* (Durham N.C.: 1961), p. 216.

almost every where. Whether it is painting or music, the difference is quite obvious.[13]

How could two peoples with such divergence in their outlook, beliefs, mores, tastes and inclinations be moulded into one without making one, or the other, or both to sacrifice something that had entered into the innermost recesses of their very souls? Under British rule Hindus had organized a number of revivalist movements and were in haste to discard all traces of Muslim influence.[14] The Muslims knew that in such a situation, the sacrifice, if it had to be made, would have to be entirely theirs. They were mortally afraid of being forced to do so because it went against their grain and their entire history, as their one concern ever since they set their foot in the subcontinent had been to preserve their faith, their culture and their separate entity.[15]

Peoples so entirely different may live together for centuries without even understanding one another. It is only through intimate contacts that differences may tone down in course of time. It has been shown that opportunities for such contacts were extremely limited. A cementing force could have been a common experience in history. But they were not even willing to take the same view of history. Muslim achievements were generally belittled by the Hindus. The Muslim success in conquering such vast territories and holding them against heavy odds was looked upon as a crime because the period of Muslim rule had openly been called "an age of slavery". The monarchs and generals who are the heroes of Muslim history were dubbed robbers and tyrants. The fact that the Muslims saved the subcontinent from Mongol inroads which had created such havoc in other Asian and European lands was forgotten. The Muslim achievements in organizing an efficient and benevolent administration, the anxiety of the Muslim monarchs to look after the people and the flowering of vernacular literatures under their patronage were all forgotten. Hindu rebels against

[13] I. H. Qureshi, *The Muslim Community of the Indo-Pakistan Subcontinent op. cit.*, pp. 95-96.

[14] I. H. Qureshi, *The Muslim Community of the Indo-Pakistan Subcontinent, op. cit.*, The entire book would illustrate this point.

[15] *Ibid.*, Chapter XI.

Muslim rule are cherished as heroes and even their treachery is extolled.

The period of common subjugation under the British could have created a feeling of unity but this could not happen because the Hindus were always willing to take advantage of British partiality towards them. After the fall of the Mughul Empire and the establishment of British rule the Muslims were subjected to discrimination and hostility.[16] The Hindus had no scruples in taking advantage of the situation. They showed no fellow feeling for the Muslims in their adversitv. Of course the lesson was not lost upon the Muslims. When the Hindus organized the Indian National Congress under British inspiration, the Muslims showed no confidence in it.[17] No two peoples, who have such different views of history, can have that "sense of possessing common memories of triumphs and humiliations" which is considered to be the basis of national feeling.

Not merely a religious minority

A few simple questions may clarify the position further: "Was the Muslim, for instance, just an Indian with a different religious belief, or did his differences with other Indians go deeper than religion alone? Was he, for instance, just as different from his Hindu neighbour as the Roman Catholic Englishman is from his compatriots who belong to the Church of England? This may not seem to be a fair comparison, because, after all, the Roman Catholics and the Protestants are alike Christians. Was then the difference the same as between the American Jews and the followers of other religious denominations in the United States? Here again the parallel does not hold good for two reasons: the Jews and the Christians share a good deal of the Semitic traditions as embodied in the Old Testament; and the Jews, through their association with the West and having lived so long in Europe and in America have adopted a good deal of the same cultural tradition as their Christian compatriots. Indeed, but for differences in religious doc-

[16] *Ibid.*, pp. 247-248.

[17] Gandhi's letter dated 15 September, 1944: *Jinnah-Gandhi Talks* (September, 1944) (November, 1944), p. 15.

trines and practices arising from those doctrines, there is no difference in the way of life and culture of the Jews and the Christians in the United States of America or in the United Kingdom."[18] It has been explained above at some length that the differences between the Hindus and the Muslims were much deeper. It should, however, be remembered that when the West thinks of a religious minority, it has some such difference in view as exists between the Protestants and the Catholics or at the utmost between the Christians and the Jews. Judging from that standpoint of view, it is obvious that the Muslims of the subcontinent could not be called merely a religious minority.

The Muslims had themselves been victims of the idea that they were a religious minority. They were not familiar with life in the West and when the British called them a religious minority, they came to believe that the term represented their international standing correctly. Their instincts, however, could not be governed by any nomenclature. Their holding themselves aloof from the Indian National Congress when it was organized was an open intimation that they did not consider themselves to be a part of "the Indian nation". When they demanded separate electorates, their deputation asked the viceroy "that the Muslims of India should not be regarded as a mere minority, but as a nation within a nation whose rights and obligations should be guaranteed by Statute".[19] The status of being a mere minority continued to worry the Muslims. Mohamed Ali said in the Round Table Conference that "... the Musalmans constitute not a minority in the sense in which the late war and its sequel has habituated us to consider European minorities ... A community that in India alone must be numbering more than 70 millions cannot easily be called a minority."[20]

The discovery

The liberation from the tyranny of this sinister phrase was not far when doubts began to arise in the minds of their thinkers

[18] I. H. Qureshi, "Islamic Elements in the Political Thought of Pakistan", *loc. cit.*, pp. 212-213.

[19] H. H. the Aga Khan III, *The Memoirs of Aga Khan, World Enough and Time* (New York: 1954), p. 123.

[20] Round Table Conference 1930-31. Minorities Committee, Documents, Minutes; Meetings 1—6.

regarding the status of the Muslims in the subcontinent. The earlier leadership had come from the areas where the Muslims were in a minority. They did not find it so easy to break away from the notion of being a minority even though they had felt that the term did not quite fit them. When the Muslim majority areas also began to contribute to the leadership of the community, a change was bound to occur. Chaudhary Rahmat Ali, for instance, saw the greatest danger in the Muslims being called Indians.[21] And once, after a process of self discovery, they realized that they were a nation, the inhibitions created by the lack of a name, by erroneous catchwords and phrases, and by misleading patterns of thought vanished as if they had never existed. Then led by a great leader, Qaid-i-Azam Mohammad Ali Jinnah, the nation marched to its destiny of sovereign status and won the battle for Pakistan.

The battle was not fought only to win a status and territories. Valuable as these are for the preservation of the nation, it has been inspired by the idea that without a separate existence, its creative genius was likely to wither away. Given freedom and opportunity it can help in the enrichment of human thought, because every people has a unique experience out of which comes a contribution which only it can make. A suppressed and dependent people may be intelligent, but its inhibitions do not permit it to give its genius a free play. It would have been a pity if a people which has not played an insignificant role in history had been deprived the opportunities that freedom alone offers. It was something of great value to themselves and the world that the Muslims of the subcontinent were trying to defend when they decided to fight for Pakistan.

[21] Chaudhary Rahmat Ali, *The Millat and Menace of "Indianism"* (Cambridge: 1940). Also, *Pakistan* (London: 1947), p. 241.

CHAPTER 2

The Formulation of Attitudes

The holocaust of 1857

The events of 1857 have a two-fold significance in the history of modern Muslim India. They dealt a final blow to the idea of the Mughul Empire and they put a seal on the decline of the Muslims in all walks of life.

With the final collapse of the Mughal Empire the Muslims awakened to the futility of any attempts to revive their empire. It is true that many years before 1857 the Mughul Emperor had become but a shadow of his ancestors and lately had lost all authority, but in the minds of the people he was still a powerful symbol of Muslim rule. His fall, therefore, was mourned by all Muslims. They came to realize that a new epoch had opened in the history of India, an epoch of a new empire established by a foreign race which had its home thousands of miles away and which was totally alien in its culture and outlook on life.

The British believed that the Muslims were responsible for the anti-British uprising of 1857 and, therefore, they were subjected to ruthless punishment and merciless vengeance. In every department of life where government patronage was essential, the doors were

closed on Muslims. The Muslims were hounded out of employment and opportunities. The landed gentry was disinherited through large scale confiscations. Muslim education had been ruined through deliberate negligence on the part of the British. Persian had been ousted as the official language and replaced with English. The Muslim *qadis* had lost employment when English law replaced Muslim law. Even such subordinate government posts as were still open to the Indians and these were those that earned miserable salaries, went to the Hindus.[1] The British had always looked upon the Muslims as their adversaries because they had resented being ousted from power. With the rebellion of 1857 this feeling was intensified and every attempt was made to ruin and suppress the Muslims for ever.

From 1858 up to about 1870 nearly all British politicians, authors and administrators unhesitatingly blamed the Muslims for the "Mutiny".[2] But in the 1870's a change in British opinion was visible. Men like Sir Richard Temple, Sir John Strachey and W. H. Gregory came forward to argue that Muslim India was not disloyal and that the unpleasant past should be forgotten.[3]

Syed Ahmed Khan

It is true that the British reading of Indian history, which attributed the "Mutiny" to Muslim instigation, was later corrected by British historians themselves, but the most powerful single factor which rehabilitated the Muslims and recovered for them some of their lost political and intellectual influence was Sir Syed Ahmed Khan's leadership.

Born at Delhi in 1817 of a highly respectable family, Syed Ahmed entered the service of the East India Company and rose

[1] For full details see W. W. Hunter, *Our Indian Musalmans: Are they Bound in Conscience to Rebel against the Queen*? (London: 1871).

[2] See, for example, S. Laing, "The Convention with Turkey", *Fortnightly Review*, August 1878; Samuel Smith, "India Revisited", *Contemporary Review*, July, 1886; Mortimer Durand, *Life of the Rt. Hon. Sir Alfred Comyn Lyall* (London:1913), pp. 68-86; and writings of Malcolm MacColl.

[3] See Richard Temple, *India in 1880* (London: 1880), p. 115; John Strachey, *India* (London: 1894 ed.), p. 240; and W. H. Gregory, "Loyalty of the Indian Muhammadans", *Nineteenth Century*, December, 1886.

to the position of a Judge. During the rebellion of 1857 he served the British loyally and with distinction and immediately after it wrote the now famous pamphlet, *Essay on the Causes of the Indian Revolt*. In the *Loyal Muhammadans of India* he defended the Muslims against the British charge of sedition and disloyalty. In 1875 he established the Muhammadan Anglo-Oriental College at Aligarh. Retiring from service in the following year, he worked as a member of the Governor-General's Legislative Council from 1878 to 1883. He died in 1898.[4]

This remarkable man left his unmistakable impact on the Muslims in four different but inter-connected spheres: education, religion, social life and politics.

Education was the foundation on which he built the superstructure of his religious, social and political ideas. He alone among his contemporaries realized that the plight of the Muslims could not be improved without a revolution in their attitude towards education. The Muslims were inimical to Western education for three reasons: they considered it inferior to traditional Islamic learning, it was being forced upon them by a foreign people, and they saw no need of it for themselves. To learn English and acquire Western knowledge went against their pride, their memory of bygone superiority and their attachment to the learning of Islam. They thought that an education saturated with Christianity might corrupt their beliefs.[5] Syed fought these attitudes with heroic courage. Through speeches, articles, pamphlets, Scientific and Translation Societies and schools he slowly converted his people to his line of thought. His crowning achievement in this sphere was the foundation, in 1875, of the Muhammadan Anglo-Oriental College at Aligarh.

In religion Syed stood for a rational approach. He argued that the revealed truth could be understood best through reason.

[4] See G. F. I. Graham, *The Life and Work of Sir Syed Ahmad Khan* (London, first ed. 1885, rev. ed. 1909).

[5] See *Report of the Members of the Select Committee for the Better Diffusion and Advancement of the Learning among the Muhammadans of India, 1872*; extracts quoted in C. H. Philips (ed.), *The Evolution of India and Pakistan, 1858-1947* (London: 1962), pp. 178-180.

The revelations of physical sciences could not be ignored in the understanding of religion. He put it pithily when he said that there could be no contradiction between the word of God (revealed truth) and the work of God (the laws of physical science and the phenomena of Nature). It may be argued that this attitude was too naive in so far as it placed too much confidence in human observation of phenomena at a particular time, nevertheless the basic idea that truth can be understood and interpreted in the light of human knowledge is sound.

His main purpose being to bring about some conciliation between the rulers and the down trodden and persecuted Muslims, he sought to bring out the close affinity between Islam and Christianity, and in pursuance of this wrote a commentary on the Bible.

In social life he stood for simplicity, honesty and other homely virtues. In his highly readable but novel magazine, *Tahdhib-ul-Akhlaq*, he taught the people to accept what was sound and attractive in European manners and social life.

In politics Syed had three main ideas to inculcate: that political awakening was imperative, that the British must be cultivated as friends, and that it was not in the interests of the Muslims to join the Congress. Again and again he told his followers that in a subcontinent like India which was inhabited by many races and people of different creeds any steps towards the introduction of representative government based on the doctrine of the rule of the majority would necessarily be disadvantageous to the Muslims.[6] The Muslims had already suffered greatly because of the bad opinion which the British had of them. They must now make friends with the rulers, hold aloof from the Congress, and develop their own strength. Educationally and economically they were backward and, therefore, not equipped for political agitation. He argued that politics must be left alone by the Muslims until they had brought themselves up to the level of the Hindus in prosperity and modern education. It was for these reasons that he opposed the introduction of competitive examinations for entry

[6] *Proceedings of the Indian Legislative Council*, vol 22 (1883), pp. 19-20.

into government service and the principle of election in local and legislative bodies. All this must wait until such time as the Indians developed a sense of real unity.[7]

Syed Ahmed Khan's contribution to Muslim renaissance in India can be summarized in one phrase, that it was the inculcation of self-confidence in his people. Before he appeared on the scene, the Muslim community in India was adrift; he supplied the rudder. The Muslims were under a cloud; he made efforts to remove from them the stigma of disloyalty and tried to rehabilitate them with their rulers. They were bogged down in doubt and disappointment; he gave them hope. This was service enough. His greatness lies in providing a firm foundation on which those who came after him could build with confidence. It is true that his political philosophy of co-operation with the British had serious limitations; his advocacy of uncritical acceptance of European education and thought could not provide a firm foundation for building up a nation with a well defined entity, and his concept of religious truth was rather narrow and unphilosophical, yet at the time when he advocated these ideas, they were opportune and saved the Muslims from stagnation and even annihilation.

Constitutional changes: 1858-1892

The greatest constitutional change brought about by the war of 1857 was the transfer of power from the East India Company to the British Crown. For the first time the British Parliament was given full authority and responsibility for governing India. The British Indian Empire was officially established.

The Government of India Act, 1858, provided for the appointment of a Secretary of State for India, who replaced the Court of Directors and the Board of Control. A Council of sixteen members was to advise the Secretary of State and was responsible for all affairs relating to the Government of India. All the armies of the East India Company were merged into the military forces of the Crown.

[7] See his *The Present State of Indian Politics* (Allahabad: 1888), pp. 7-21, 31-53.

This was a far cry from the usual British or Western pattern of popular election. The Government of India acknowledged in 1892 that India was "essentially a congeries of widely separated classes, races and communities with divergences of interest and hereditary sentiment which could be properly represented only by those who knew and shared their sectional opinions".[11]

Muslims and the Congress

A. W. Hume, a retired member of the Indian Civil Service, laid the foundations of the Indian National Congress in 1885. This body had three objects: "First: the fusion into one national whole of all the different, and till recently discordant, elements that constitute the population of India; second: the gradual regeneration along all lines, mental, moral, social and political, of the nation thus evolved; and third: the consolidation of the union between England and India, by securing the modification of such of its conditions as may be unjust or injurious to the latter country."[12]

Here we must take notice of the important fact that the Congress was founded by an Englishman, a retired official of the Indian Government, and had the blessings of the then Governor-General of India, Lord Dufferin. We have it on the authority of no less a man than the first president of the Congress, W. C. Bonnerjee, that "the Indian National Congress, as it was originally started and as it has since been carried on, is in reality the work of the Marquess of Dufferin and Ava when that nobleman was the Governor-General of India".[13] When Hume took his scheme to the Governor-General, the latter amended it and gave his blessings to the effort of organizing the Congress but "made it a condition with Mr. Hume that his name in connection with the scheme of the Congress should not be divulged so long as he remained in the country, and his condition was faithfully maintained and none but the men consulted by Mr. Hume knew anything about the matter".[14]

[11] Government of India's Despatch of 1892, Cd. 4426 (1908), p. 2.

[12] C. H. Philips, *op. cit.*, p. 141.

[13] W. C. Bonnerjee, *Indian Politics* (London: 1898), p. vii.

[14] *Ibid.*, p. viii.

As we shall see in the following pages the Congress was fond of taunting the Muslim League that its foundation had been inspired by the British. No evidence has yet been produced for this assertion. The testimony quoted in the previous paragraph, however, makes it amply evident that the League would have had greater justification, if it had so chosen, for charging the Congress with being a "command performance". All evidence points to the fact that the Congress was founded at British official instigation and this was surreptitiously done by a Governor-General through a retired English civilian.

Syed Ahmed Khan asked the Muslims not to join the Congress. This advice was followed by the vast majority of his people. He never wavered in his opposition to the Congress and declared that even if he was told that the Viceroy, the Secretary of State and the whole House of Commons had openly supported the Congress, he would still remain firmly opposed to it, and he earnestly begged all Muslims to remain away from it. "It is my deliberate belief", he said, "that should the resolutions of the native Congress be carried into effect, it would be impossible for the British Government to preserve the peace, or control in any degree the violence and civil wars which would ensue."[15]

Naturally Hume was not pleased by this criticism. The sight of his creation being strongly opposed was too much for him, and he lampooned Syed Ahmed Khan and his followers in intemperate language. He called them "fossils," "wanting in understanding", men who "in their hearts hate British rule or are secretly in the employ of England's enemies,"[16] and "time servers" who hoped to be paid for their opposition to the Congress. He did not believe that the Muslim opposition represented genuine feeling, and called it artificial and mischievous. But even he admitted that active Congress propaganda had stirred up religious rivalries which had, more or less, been dormant for sometime.[17]

15 Quoted in *The Times*, 12 November, 1888.

16 It is revealing, indeed, to see him equating the Congress with British rule.

17 W. Wedderburn, *Allan Octavian Hume* (London: 1913), pp. 71-73.

But facts were on the side of the Muslims rather than that of Hume. A great majority of British observers of the contemporary scene attest to the strength of Sir Syed's influence, to the failure of the Congress to attract Muslims, and to the increasing Hindu-Muslim rift as a direct result of Congress activities.

William Lilly recorded that all Muslims stood contemptuously aloof from the Congress.[18] Colonel Ward, a district officer of long experience, declared that no Muslim of any standing or position would have a word to say in favour of the Congress.[19] Sir George Chesney went to the extent of asserting that the more sober and sensible of the educated Indians were astonished at the fact that the Government suffered the Congress to go on.[20]

Contemporary Muslim press in India was full of criticism of the Congress. Newspapers like the *Muhammadan Observer, The Victoria Paper, The Muslim Herald,* the *Rafiq-i-Hind* and the *Imperial Paper* spoke with one voice against the Congress.[21] The *Aligarh Muslim Gazette,* the venerable and powerful organ of Muslim India, was a source of strength to the Muslims in this controversy. Among the Muslim organizations and institutions which denounced the Congress and appealed to the Muslims not to lend their ear to its blandishments were: the Central National Muhammadan Association, the Muhammadan Literary Society of Bengal, the Anjuman-i-Islam of Madras, the Dindigal Anjuman, and the Muhammadan Central Association of the Panjab.

To counteract the efforts of the Congress, Syed Ahmed Khan took four concrete steps. He founded the Indian Patriotic Association, the Muhammadan Educational Conference, the Muhammadan Defence Association of Upper India, and the Muhammadan Anglo-Oriental Defence Association of Upper India.

18 W. S. Lilly, *India and its Problems* (London: 1902), pp. 242-243.

19 W. C. E. Ward. "Difficulties of Indian District Officers", *Imperial and Asiatic Quarterly Review,* April, 1896, p. 297.

20 G. Chesney, "India: The Political Outlook", *Nineteenth Century,* June, 1894, p. 901.

21 Lal Bahadur, *The Muslim League* (Agra: 1954), p. 4.

In the light of these facts it is far from the truth to say that the Congress represented all India or spoke for the Muslim community. A Nationalist Muslim of the standing of Sayyid Tufail Ahmad Manglori has confessed that in the early years the Muslims meted out complete non-co-operation to the Congress.[22]

The partition of Bengal

Perhaps nothing illustrates so well the validity of Syed Ahmed Khan's reading of the Hindu mind as the agitation against the partition of Bengal. Lord Curzon found the Bengal Presidency too large a charge for one Governor and decided to redraw its boundaries. In 1905 the provinces of Bengal and Assam were reconstituted so as to form two provinces of manageable size: Bengal, with a population of 54 million, of which 42 million would be Hindus and 9 million Muslims, and Eastern Bengal and Assam, with a population of 31 million of which 18 million would be Muslims and 12 million Hindus. The territories to be transferred from Bengal to the new province consisted of the districts of Chittagong and Dacca divisions, those of Rajshahi division except Darjeeling, and the district of Malḍa.[23]

This scheme was sent to London by Curzon in February, 1905. It was sanctioned by the Secretary of State for India, St. John Brodrick, in June, and the proclamation of the formation of the new province was issued in September. The province of Eastern Bengal and Assam officially came into being on 16 October, 1905.

This modification of the boundaries of Bengal was made an occasion for unprecedented agitation by the Hindus—first of Bengal and later of other parts of India. Ulterior motives were imputed to Curzon: he had deliberately tried to divide the Hindus and the Muslims by drawing the line between Hindu and Muslim halves of Bengal; he had favoured the Muslims by giving them a

[22] Tufail Ahmad Manglori, *Musalmanon ka Rawshan Mustaqbil* (Delhi: 1945), pp. 275-370. He attributed this to the influence of Theodore Beck, Sir Theodore Morrison and William Archbold.

[23] See *East India: Reconstruction of the Provinces of Bengal and Assam* (London: 1905), Cd. 6258.

new province in which they were in a clear majority; he had "vivisected" the Bengali homeland; he had struck a deadly blow at Bengali "nationality"; he had sought to weaken the "nationalist" and "patriotic" movement of the people of India which had its strongest centre in Bengal; he was the upholder of the devilish official policy of divide and rule.

Thus ran the indictment against Curzon and his government. In reply Curzon said: "It is a calumny so preposterous that it scarcely seems worthy of notice." The whole plan was nothing more than the readjustment of the administrative boundaries of a province. He warned that any revocation of the partition would place a premium upon disloyal agitation in India in future and would render the governance of India well nigh impossible.[24]

It is not difficult to discover the reasons behind the Hindu agitation. The partition had resulted in the creation of a Muslim-majority province. This was distasteful to the Hindus. Partition was resented by the high-caste Hindus because they wanted "to have the state of things which existed before the advent of the Muslims and of the lower castes for jobs".[25]

On the other hand, the Muslims welcomed the partition. The partition was enforced on 16 October, 1905. On 22 October, a large Muslim meeting at Dacca appreciated the boon conferred on the people by the change. Two days later another big gathering offered thanks to God for the partition and declared that under the new scheme, the Muslims "would be spared many oppressions which they had hitherto had to endure from the Hindus". The Hindu agitation against the partition was condemned.[26] In the following year many Muslim meetings adopted resolutions to send a memorial to the Secretary of State for India, expressing gratification that he had declared the partition to be a "settled fact".[27] In September 1908, the Muslim League, which had been formed in 1906 to safeguard the interests of the Muslims, passed

[24] H. L. 191. 4s, 30 June, 1908, cols. 510-513.

[25] See *Imperial and Asiatic Quarterly Review*, April, 1907, pp. 293-294.

[26] *Manchester Guardian*, 23 and 27 October, 1905.

[27] See *The Times*, 6 November, 1906.

a resolution which viewed the anti-partition agitation with great anxiety and hoped that the Government would adhere to this "settled fact" which "has relieved the Muslims of Eastern Bengal from the disabilities which they suffered".[28]

All contemporary evidence speaks of the popularity of the partition among the Muslims and their opposition to Hindu agitation against it.[29]

The most serious result of the Hindu agitation was a steep rise in Hindu-Muslim riots. The *Swadeshi* movement led to the boycott campaign, and this, in its turn, resulted in communal clashes. Muslim dealers in foreign cloth refused to shut their business in support of the Hindu boycott. When zealous Hindu "volunteers" forced the Muslim shopkeepers to declare a *hartal,* bloodshed was unavoidable.[30] This political agitation appealed to Hindu "religious antipathy against the Muslims".[31] Muslim meetings were broken up, Muslim leaders were insulted, Muslim workers were assaulted.[32] Muslims who refused to participate in the agitation were bitterly persecuted.

The net result of this was that the Hindu agitation definitely estranged the Muslims from the Congress.[33] The important point about this Hindu movement was that the driving force behind it was not secular politics but religious revivalism. Jawaharlal Nehru later admitted that the *Swadeshi* movement of this time was a manifestation of a religious nationalism.[34]

The Simla Deputation

The Indian Councils Act of 1892 had, as has been mentioned above, introduced the principles of representation and election in

[28] *Ibid.*, 7 September, 1908.

[29] See, among others, Mohamed Ali, *Thoughts on the Present Discontent* (Bombay: 1907) and Sayyid Sirdar Ali Khan, *India of Today* (Bombay: 1908).

[30] See *Manchester Guardian,* 3 June, 1907.

[31] Henry Craik, *Impressions of India* (London: 1908), p. 225.

[32] J. D. Rees, *The Real India* (London: 1908), p. 181.

[33] This is admitted even by an Indian historian of the Congress. See F. M. DeMello, *The Indian National Congress: A Historical Sketch* (London: 1938), pp. 41-49.

[34] See his *An Autobiography* (London: 1945), p. 23.

India. The coming of another instalment of reforms was now indicated in which the elective principle would be extended. The Hindu attitude during the *anti*-partition agitation had convinced the Muslims of the futility of expecting any justice or fairplay from the Hindu majority. Therefore, to safeguard their interests, the Muslim leaders now drew up a plan of separate electorates for their community and presented it to the Viceroy, Lord Minto, at Simla on 1 October, 1906. The Simla Deputation, consisting of representatives of all shades of Muslim opinion and led by the Aga Khan, made two fundamental demands. First, in all local and provincial elections Muslims must be separately represented and their representatives must be separately elected by purely Muslim electorates. Secondly, Muslims must be given weightage in all elected bodies, *i.e.*, they should have more seats than their ratio of population warranted.

The first demand was made on two grounds: that in the then existing state of communal tension no Muslim elected through a joint electorate would genuinely reflect the will of the community, and that in the absence of separate electorates every contested election would lead to communal riots. The demand for weightage was supported by another set of two arguments: that Muslims still owned much of the landed property in India, and that they formed a very large proportion of the Indian army.[35]

The Viceroy, in his prepared reply to the Deputation's address, accepted both the demands.[36]

The Simla Deputation occupies a crucially important place in the history of modern Muslim India. For the first time the Hindu-Muslim conflict was lifted to the constitutional plane. The rift in the society was now to be reflected in legal and political institutions. The Muslims had made it clear that they had no confidence in the Hindu majority, that they were not prepared to put their

[35] The Simla Deputation address is reproduced in full in B. R. Ambedkar, *Pakistan or The Partition of India* (Bombay: 1945). The Muslim contention that most of the agricultural land belonged to them is doubtful.

[36] For long extracts from Minto's reply see Countess of Minto, *India: Minto and Morley, 1905-1910* (London: 1934), pp. 46-47.

future in the hands of assemblies elected on the assumed basis of a homogeneous Indian nation. By implication they rejected the idea of a single Indian nation on the ground that the Muslim minority had an entity which could not be merged into the Hindu majority. From this it was but a further step to demanding a separate state for the Muslims of India. In the demand for separate electorates may be seen the glimmerings of the two-nation theory. The real significance of the Simla demand lay in the reservations with which the Muslims surrounded their Indian nationality. The Hindu allegation that the Simla deputation was inspired by the British has to be rejected for two reasons: No positive evidence is available in its support and what the Muslims demanded was in complete consonance with their thinking and philosophy.

The founding of the Muslim League

So far three factors had kept the Muslims away from the Congress: Syed Ahmed Khan's advice to the Muslims to give it a wide berth, the Hindu agitation against the partition of Bengal, and Hindu religious revivalism and hostility to the Muslims injected into the Congress by Bal Gangadhar Tilak. But as yet the Muslims had not formed a political organization of their own. They were still loyal to Syed Ahmed Khan's ideal of eschewing politics. But events were fast changing the Indian scene. Politics was being thrust on all sections of the population. At the same time the Muslims were being increasingly disillusioned with the Congress. The Aga Khan tried to persuade Sir Pheroz Shah Mehta that it was important that the Congress should see the communal realities and make itself more attractive to the Muslims.[37] But such efforts went unrewarded. By 1906 Muslim leaders were convinced that they must have their own party which should protect Muslim interests and speak for the community on all important occasions. The Simla Deputation strengthened this belief by demonstrating the potency of united action.

In pursuance of this resolve the Muslim leaders met in Dacca in December 1906. The Nawab of Dacca moved a resolution for establishing a Muslim organization to be called the All India Muslim League. Nawab Vaqarul Mulk delivered the presidential

[37] *The Memoirs of Aga Khan, op. cit.*, p. 105.

address.[38] The League adopted as its objects: "(a) To promote among the Musalmans of India feelings of loyalty to the British Government and to remove any misconceptions that may arise as to the intentions of Government with regard to any of its measures; (b) To protect and advance the political rights and interests of Musalmans of India and respectfully to represent their needs and aspirations to Government; (c) To prevent the rise among Musalmans of India of any feelings of hostility towards other communities without prejudice to other objects of the League."[39]

Many Hindu historians and several British writers have alleged that the Muslim League was founded at official instigation. They argue that it was Lord Minto who inspired the establishment of a Muslim organization so that he could use it to break the Congress and thus to minimize the strength of the Indian freedom movement. But these statements are not supported by any evidence, not even of a corroborative nature.

The origin of the Muslim League can be easily explained. Two factors went into its establishment. The first was the Hindu attitude towards Muslim interests; the Bengal agitation had exposed Hindu feelings beyond any doubt. The second was the incubation of the Morley-Minto Reforms. On one hand the Hindu majority had alienated the Muslim minority. On the other hand, a representative system of government was soon to be introduced in India. It was not enough to keep away from the Congress. It was also important that a separate Muslim organization should be created to safeguard their interests. After Minto's acceptance of the demand for separate representation it was ordinary common sense to have a political party to fight the elections. It is unnecessary as well as futile to do violence to facts as well as logic by trying to seek far-fetched explanations of a straightforward political development.

Morley-Minto Reforms

It was during the later half of 1906 that Morley began to give serious attention to the formulation of the next instalment of

[38] See *The Times*, 2 January, 1907.

[39] C. H. Philips, *op. cit.*, p. 194.

constitutional reforms. He was in touch with the Viceroy, and Minto, on his part, appointed a committee to go into details and prepare a despatch. This despatch was ready in early 1907 and was sent to London on 19 March. It served as the basis of the reforms which were enacted into law by the Indian Councils Act of 1909.[40]

Under this Act the Provincial Councils were enlarged upto a maximum of 50 members in the larger provinces and 30 in the smaller. The method of election was partly indirect and partly direct. Small non-official majorities were provided in the Provincial Councils but an official majority was retained at the Centre. Besides the Viceroy and his Executive Council, nearly 60 members were added to the Central Legislative Council. Members could raise questions relating to administration and policy, but the Government had a permanent statutory majority in the house. The Secretary of State for India, Morley, argued that the retention of a permanent official majority was necessary because "in its legislative, as well as its executive, character, it should continue to be so constituted as to ensure its constant and uninterrupted power to fulfil the constitutional obligations that it owes, must always owe, to His Majesty's Government and to the Imperial Parliament".

The new Councils were not invested with any powers to control the Government. Interpellation was allowed, but questions could be disallowed without giving any reason. Resolutions could be moved, but they had no binding force. In short care was taken to ensure that Government should hear what the Indian legislators had to say about its measures but should not be responsible to them. All English statesmen made it clear that this development was not comparable to what had happened in England or the colonies. The Councils were still regarded as *durbars* rather than as parliaments. Morley told the House of Lords that "if it could be said that this chapter of reforms led directly or necessarily to the establishment of a parliamentary system in India, I for one would have nothing at all to do with it".[41]

[40] 9 Edw. vii, c. 4.

[41] Morley, *Indian Speeches* (London: 1910), p. 91.

For the Muslims the most important change brought about by the Morley-Minto Reforms was the establishment of separate electorates. The Simla Deputation demand was met and a system of separate Muslim representation was introduced. All Hindu and several British observers of the Indian scene have suggested that the creation of communal electorates was a breach of democratic principle. But Morley saw the force of Muslim argument that to make Muslim seats dependent on Hindu votes would embitter communal relations and would result in a deeper schism rather than in the consciousness of a common citizenship. Mere reservation of seats would have provided no redress because Hindu votes would not have gone to a Muslim candidate who identified himself wholeheartedly with the interests of his own community. Another argument in support of the innovation was that it was the unanimous demand of a large community. Finally, Morley was doing no violence to his convictions in sanctioning the creation of separate electorates. His ideas about Indian Government had nothing to do with democracy. In principle also, would it have been really democratic to entrust the guardianship of Muslim interest to an unimaginative and narrow-minded majority which never developed an understanding of the problems of the Muslim community?

The Hindu politicians and the Congress immediately started a campaign of criticism and opposition. At the 1910 Session the Congress condemned the provision of separate representation for the Muslims and demanded the removal of such "anomalous restrictions between different sections of His Majesty's subjects in the matter of the franchise".[42] From then on upto the passing of the 1935 Act the Congress made a habit of it to pass a resolution at its gatherings in condemnation of separate electorates and in favour of their removal. The only occasion on which, as we will see later, the Congress agreed to their retention was the Lucknow Pact of 1916.

The Delhi Durbar

Muslim politics between 1906 and 1911 constitute a period of content and calm in the history of modern Muslim India. Though

[42] D. Chakrabarty and C. Bhattacharyya, *Congress in Evolution* (Calcutta: 1935), p.118.

their demands had not been completely met—the Muslim League's request for the appointment of a Muslim member to the Viceroy's Executive Council was rejected—on the whole the Muslim community was satisfied with its constitutional and political status. They had no cause to be disloyal to Britain. They enjoyed separate representation in all elected bodies. They had been given more seats than their population warranted. The partition of Bengal stood intact.

But this peaceful and placid state of affairs was not destined to last long.

Since 1908 the Congress leaders had been spreading the story that the Government was contemplating the repeal of the partition of Bengal.[43] The Government stood firm on its resolve to treat the 1905 decision as a "settled fact", but this did not discourage the Hindu agitators. A virulent campaign against the partition continued, but with the passing of each year the enthusiasm and severity of the campaign decreased, so that in 1910 the agitation had ebbed so low that for the first time the Government was bold enough to issue a notification saying that it would not prohibit the demonstrations of protests organized for the partition anniversary.[44] This confidence was well placed, because the 1910 demonstrations were insipid and unimpressive.[45] But next year all of a sudden the partition of Bengal was annulled.

In June 1911 Sir John Jenkins, a member of the Viceroy's Council, made a proposal for the reversal of the partition and for the transfer of the capital from Calcutta to Delhi, and suggested that these changes should be announced by the King on the occasion of the forthcoming Coronation Durbar at Delhi. Lord Hardinge who had succeeded Minto as the Viceroy in 1910, at once agreed.

A "very secret" memorandum was drawn up and submitted to the Council. It postulated: (a) transfer of the capital from Calcutta to Delhi; (b) the creation of United Bengal into a presidency with

[43] See *The Times*, 8 February, 1909.
[44] *Ibid.*, 5 October, 1910.
[45] *Ibid.*, 18 October, 1910.

a Governor in Council; (c) the creation of Bihar and Orissa into a Lieutenant Governorship; and (d) restoration of the Chief Commissionership of Assam. The Council gave its approval, and in July the Viceroy wrote a letter to the Secretary of State for India, the Marquess of Crewe, giving full details and urging immediate action. In August Crewe wrote back, giving his sanction to the scheme. When the King was told of this decision he was pleased.[46]

These decisions were kept strictly secret and were not revealed to the world till 12 December, 1911, when the King announced them as his "boons" at his Coronation Durbar held at Delhi.[47]

Muslim reaction to these decisions was naturally bitter. For years the Government of India and the Home Government had been telling the Muslims that the decision regarding the partition of Bengal was final and would not be re-opened. Such a flagrant disregard for solemn promises created a feeling of distrust amongst the Muslims. They lost all faith in British pledges. They were convinced that the Government listened only to sedition and clamour, that constitutional approaches did not pay, that loyalty was rewarded with treachery. They looked upon the reversal as nothing less than an ignominious surrender to an unreasonable agitation. They felt that they had been sacrificed to appease the Hindus. The decision encouraged sedition, betrayed the officials who had identified themselves with the policy of partition and alienated the Muslims from the Government.[48]

The Delhi Durbar of 1911 heralded a significant shift in Muslim politics. The Muslim community was thoroughly disillusioned and came to the decision that it could no longer put its trust in the British Government or look to it for the protection of its legitimate rights and interests. The immediate manifestation was that at the December, 1912—January, 1913 session the Muslim

46 Hardinge: *My Indian Years* (London: 1948), pp. 36-40.

47 For the text of the announcement see Cd. 5979.

48 For the Muslim feeling see R. Craddock, *The Dilemma in India* (London: 1929), p.147; M. F. O'Dwyer, *India As I Knew It* (London: 1925), p. 175; *The Times*, 5 March, 1912; J. D. Rees in *Fortnightly Review*, February, 1912, pp. 310-311; and Al Carthill, *The Lost Dominion* (London: 1924), pp. 225-227.

League changed its aim from loyalty to "a form of self-government suitable to India".[49]

This new Muslim attitude now made it possible for the Muslim League to come closer to the Congress or at least to find some common ground on which the two organizations could stand together against the British. This was the beginning. Soon there arose other circumstances which strengthened the Muslim aversion to dependence upon the British Government.

The Khilafat Movement

It was towards the close of the nineteenth century that Turkey began to attract the attention of Muslim India and to play a part in her politics. This was due to two factors. The Muslims of India, for many reasons, had a strong feeling of identity with the world community of Islam. They had watched with deep anguish the decline in the political fortunes of Islam during the period when they themselves had been losing political power. Therefore, they listened eagerly to Jamaluddin Afghani's timely reminder that the Muslims of the world were brothers who should come together and defend Islam against all those who sought to destroy it. They had helplessly seen the conquest of one Muslim land after another by European powers. The Anglo-Russian Convention of 1908 had reduced their next door neighbour Iran to a mere dependency. Afghanistan had been humiliated several times and could no longer hope to take advantage of the rivalry between Russia and Great Britain. Indeed it was now already under the British sphere of influence. The Ottoman Empire was the only Muslim power which had maintained a semblance of authority. The Indian Muslims looked upon it as the bastion of Islam. They felt that any diminution in its sovereignty or territory would mean a blow to the independent existence of Islam as a world community.[50]

They had reacted sharply to the establishment of European rule in the Muslim North Africa. The gallant fight put up by the

[49] See *Civil and Military Gazette*, 3 January, 1913.

[50] For a fuller discussion see I. H. Qureshi, *The Muslim Community of the Indo-Pakistan Subcontinent*, *op. cit.*, p. 266.

Muslims in Tripoli evoked great sympathy and admiration for the defenders. Then came the Balkan wars and Turkey was reduced in Europe to Eastern Thrace, Constantinople and the Straits. The general impression among the Muslims of India was that the Western powers were waging a war against Islam throughout the world to rob it of all its power and influence. The Turkish Sultans had claimed to be the Caliphs of the Muslim world. Their claim had not been recognized by the Muslims of India so long as the Mughul Empire had been in existence. Tipu Sultan was the first Indian Muslim who, having been frustrated in his attempts to gain recognition from the Mughuls, had turned to the Sultan of Turkey to establish a legal right to his throne. Now that the Muslims had no sovereign of their own, they had begun to see the necessity of recognizing the Sultan of Turkey as the Caliph. The Sultan Abdul Hamid had assiduously propagated the importance of his status as Caliph mostly to counteract European claims to extra-territorial authority in the affairs of Christian minorities in the Ottoman Empire. The Muslims of India, who could not openly proclaim allegiance to a sovereign other than the British monarch, found in the claim of the Sultan of Turkey an excellent excuse for identifying themselves with the Turks in being obligated by a common religious duty to recognize the sovereignty of the Caliph. Though the Shi'ahs could not in accordance with their doctrine recognize the Sultan as the Caliph, they, being motivated by a common desire to save Islamic political power from extinction, joined hands with other Muslims in a movement to save the *Khilafat*.

When Turkey chose to fight on the side of Germany against the Allied powers, the sympathies of Indian Muslims were with the Turks, though they could not express their sentiments openly. The British hoped to neutralize Muslim hostility by promising to respect the status of the Caliph and the right of the Turks to their homeland. When the war came to an end, the Muslims of India organized a movement to put pressure on the British to respect their promises.

When the Peace Conference met in Europe to negotiate the

peace treaties and to award punishment to the former enemies, it was discovered that Britain was bent upon wreaking full vengeance upon Turkey. Already in November 1919 the All India *Khilafat* Conference (a body recently formed to protect the status of Turkey and the *Khilafat*) had passed a resolution asking the Muslims, as a religious duty, to abstain from participating in victory celebrations, to boycott British goods, to non-co-operate with the Government, and to send a delegation to Britain to acquaint the British Government with Muslim feelings.[51] When the terms of the Treaty of Sevres were announced in 1920 it caused deep resentment among the Muslims. They felt that they had been duped and betrayed. In June ninety influential Muslims wrote to Lord Chelmsford, the Viceroy, that they would non-co-operate with the Government from 1 August, until the terms of the peace treaty with Turkey were revised.[52]

But no change was visible in the attitude of the Government. Lord Chelmsford was indifferent to Indian sentiment and Edwin Montagu, the Secretary of State for India, found himself helpless in face of Lloyd George's bitterly *anti*-Turkish policy. It was the new Viceroy who brought the wind of change. Lord Reading, who took up the Viceroyalty of India in April 1921, immediately saw that the *Khilafat* movement in India was far from being an artificial excuse to make trouble for the Government. Even moderate and "loyal" Muslims told him how deep-rooted and genuine was the feeling on the issue. Reading was quickly convinced of this and communicated this conviction to Montagu, but Montagu was finding it difficult to overcome the indifference of his Cabinet colleagues and the actual hostility of the Prime Minister. Finally, in early 1922 the Greco-Turkish relations deteriorated to such an extent that Reading was alarmed. On 28 February he sent a telegram to India Office making a formal request for a revision of the Treaty of Sevres, particularly on three points: the evacuation of Constantinople, suzerainty of the Sultan over the Holy Places, and restoration of Ottoman Thrace and Smyrna. He urged these changes on two grounds: that the Indian Muslim interest in the future of Turkey was so great as to rule out the possibility of a

[51] *Civil and Military Gazette*, 25 November, 1919.

[52] *Ibid.*, 25 June, 1920.

peaceful India in the absence of a radical change in the terms of the Treaty; and that Indian Muslim troops had rendered signal service during the war and this should not go unrecognized. He used the adjectives "just" and "equitable" for these Muslim aspirations.[53] Reading also sought permission to publish this despatch in India so that the agitated Muslims could know of the official efforts being made by the Government of India on their behalf. He informed Montagu that Governors and Ministers of every province in India agreed with his views.[54]

Montagu's efforts in assuaging Muslim feelings are on record. He had continuously been remonstrating with Lloyd George and Curzon on this point. He had been in favour of negotiating a mild treaty with Turkey. But his pleadings had no effect and the Treaty of Sevres had been the result. When Montagu received Reading's telegram he at once sanctioned the publication of it without consulting the Cabinet or the Prime Minister. This action, said Lloyd George, was opposed to the doctrine of collective responsibility of the Cabinet, and he asked for the resignation of the Secretary of State for India. It was in these conditions that Montagu had to leave the India Office.

In India the virtual dismissal of a friendly Secretary of State was greatly resented. The Muslims regarded the resignation as a blow to their campaign, and twenty Muslim members of the Indian Legislative Assembly sent a protest against this high handedness and expressed their conviction that Montagu had been sacrificed because of his sympathy for the cause of the *Khilafat*.[55] Many Indian newspapers belonging to different political parties wrote strong leaders condemning Lloyd George and lauding Montagu.

Lloyd George was an implacable enemy of Turkey and, by implication, of the Indian *Khilafat* movement. When, in 1920, an Indian *Khilafat* Deputation[56] visited England to put their views

[53] See *The Times*, 9 March, 1922.

[54] Reading, *Rufus Isaacs, First Marquess of Reading* (London: 1945), vol. II, p. 226.

[55] *Civil and Military Gazette*, 12 March, 1922.

[56] It consisted of Mohamed Ali, Sayyid Mahmud, Sulaiman Nadvi and H. M. Hayat.

before the British Government, he gave them a cold reception. On the Deputation's demand for justice for Turkey, he told the members that Turkey would get full justice. "Austria has had justice, Germany has had justice—pretty terrible justice—why should Turkey escape?"[57]

Montagu's successor in the India Office was Lord Peel. Reading did not stop pressing his views on His Majesty's Government and Peel was regularly posted about the Indian agitation and the rising temper of the *Khilafat* movement. Peel was not *anti*-Turkish like Lloyd George and lent an ear to these despatches. Towards the end of 1922 the Coalition government of Lloyd George fell and Baldwin became Prime Minister. This was a wholly satisfactory development for the Muslims and also for the Viceroy. With Baldwin at 10, Downing Street and Peel at the India Office, Reading found a Home Government which had no *anti*-Turkish prejudices like its predecessor.

At the same time the Turks, under the inspiring leadership of Mustafa Kemal, were consolidating their position in Turkey and driving the Greeks out of those parts of their territories which had been occupied at Lloyd George's instigation. So successful was this *riposte* that by the beginning of 1923 the British Government realized that events had outdated the Treaty of Sevres. Lloyd George had gone and the way now lay open for a new treaty, which was signed at Lausanne in July 1923. By its terms Turkey retained Eastern Thrace (including Adrianople), demilitarised zones were established on both sides of the Dardanelles and on both sides of the Bosphorus, and navigation of the Straits was opened to the ships of commerce of all nations in time of peace and of neutrals in time of war involving Turkey and to warships of all nations in time of peace or Turkish neutrality.[58]

This brought some satisfaction to the Muslims, though it was short-lived. In the following year the Turkish Government decreed the abolition of the *Khilafat* as an institution. This was a great

[57] *The Times*, 22 March, 1920.

[58] For fuller details see R. B. Mowat, *A History of European Diplomacy* (London: 1922), pp. 298-308.

blow to the Indian Khilafatists who had been campaigning on behalf of Turkey and the *Khilafat* and had made considerable sacrifices. Gradually the enthusiasm of the people died down and though the *Khilafat* Conferences and Committees tried to develop new interests, in a short time nothing but their name remained to remind the people of their origin and *raison d'etre*.

Though the *Khilafat* Movement achieved no ostensible success, yet it was of considerable value as an instrument of creating political consciousness in the Muslim masses. It produced a broad based leadership and taught the techniques of organizing a mass movement to the Muslims. These proved great assets in the struggle for Pakistan.

Many Hindu leaders resented the entry of the Muslim masses into Congress politics and started the Hindu movements of *Sangathan and Shuddhi.* The former aimed at organizing the Hindus against the Muslims and the latter used social pressure upon poor and ignorant Muslims to get converted to Hinduism. The failure of Hindu Congress leaders to condemn these activities disillusioned the Muslims.[59]

The result was that the Muslims emerged from the movement with a feeling that they could neither trust the British nor the Hindus and that they should look to their own strength for self preservation.

[59] For a fuller discussion of these movements and their impact on the Muslims, see I. H. Qureshi, *The Muslim Community of the Indo-Pakistan Subcontinent, op. cit.*, pp.280-284.

CHAPTER 3

Towards responsible Government: 1914-1935

India and the First World War

The impact of World War I created a minor revolution in India's political and constitutional position. We have already seen how the Muslims reacted to the War in so far as the *Khilafat* and Turkish issues were concerned. It also gave considerable impetus to the movement of political emancipation in India.

The most important fact was that India remained loyal to the British Government during the war. No large scale effort was made (unlike the Congress revolt during World War II) to embarrass Britain in her hour of travail or to exploit her weakness in order to gain political concessions. Thousands of Indians volunteered to fight for Britian. Legislative Councils readily voted all emergency powers to the executive as well as full financial backing to War expenditure. All parties supported the Government. Even those who later organized the *Khilafat* movement were, until the last stages of the War, quiescent and did not actually wage an *anti*-war campaign. There were, it is true, a few *anti*-British conspiracies, but they did not gather substantial public support.

A new development of great significance was that the Congress and the Muslim League drew closer. Two factors made this possible. The repeal of the partition of Bengal had made the Muslims resentful and bitter against the British. The British animosity towards Turkey had aggravated this feeling. It did not mean that the basic Hindu-Muslim animosity had been overcome or that the fundamental causes of that animosity had disappeared. Under the immediate stress of *anti*-British emotions, however, the basic differences had been momentarily forgotten and it seemed that political exigency had overcome deep-rooted instincts and suspicions.

Therefore, there developed a desire to arrive at some understanding with the Hindus. Thus it came about that during the years 1913-1924 the observers of the Indian political scene witnessed the astonishing spectacle of Hindu-Muslim unity. Gandhi was quick to see that such an opportunity of bringing the Muslims close to the Congress would not recur. He threw his influence and prestige on the side of the *Khilafat* movement and carried most of the Congressmen with him. The Muslims, on their part welcomed this unexpected help, for it reinforced their movement and brightened the chances of its success.

The War played yet another part in the evolution of modern political India. British politicians had repeatedly been assuring the world at large including India that Britain had been fighting the War to further the cause of freedom and self-determination. This might or might not have been merely an important weapon in the armoury of British war publicity. But the Indian intelligentsia took it to be a solemn promise, and several Indian leaders reminded the British Government that Indian support of War effort, though voluntary and unconstrained, was based on the hope that after the War India would be given another, and a vastly more radical, instalment of reforms. This, they pointed out, was implicit in British statements of policy as well as in Indian willingness to fight for the British.

As has already been mentioned, one section of Indian political opinion had gone further and had seen no objection in taking

advantage of British preoccupation with the war. Several revolutionary societies were formed, some possibly under the instigation of Germany, which believed and propagated that the war presented a splendid chance of liberation from British rule. Plans for an organized rebellion were drawn up in 1915 with the co-operation of Afghanistan, Turkey and Russia. Disorders broke out at several places in India. Secret societies intensified their programmes of political terrorism. Some Sikhs and Pathans indulged in rebellious activities. In the end all these efforts proved abortive. But they carried an important message to the British and Indian Governments. Repression could be, and was, employed in suppressing these revolutionary movements, but repression alone was not enough. The forces of nationalism must be met at least half way if the whole of India was not to be pushed into the arms of insurrectionary bodies.

Thus British policy in India during the war was founded on two principles: first, a determination to suppress and liquidate all revolutionary and violent movements; second, to grant a measure of constitutional reform with a promise to lead India to the status of a self-governing member of the British Commonwealth.

The Lucknow Pact

Lord Chelmsford, the Viceroy, began to think out a scheme of post-war reforms, and to this purpose, invited practical suggestions from Indian politicians. There was, then and a little later when he and Montagu toured India, a spate of memoranda, schemes and plans. But two of these carried real political weight and must be taken notice of.

In October 1916, nineteen elected members of the Imperial Legislative Council addressed a memorandum to the Viceroy on the subject of reforms. Their suggestions may be summarized as follows: (1) Half the members of the Imperial and Provincial Executive Councils should be popularly elected Indians; (2) All Legislative Councils should have substantial elected majorities; (3) All Legislative Councils should enjoy fiscal autonomy and the right of voting supplies; (4) The Council of the Secretary of State

for India should be abolished; (5) All provinces should have full autonomy; (6) In any scheme of Imperial Federation India should be given a position similar to that of self-governing Dominions; and (7) All Indians should have the right to carry arms, to enlist in territorial units and to win commissions in the Army on conditions similar to those prescribed for Europeans.[1]

The memorandum did not make news when it was published, nor did it influence the mind of the Viceroy or of the Secretary of State for India. But in Indian political circles it was accorded considerable importance. It was discussed, amended and accepted at subsequent meetings of the Congress and the Muslim League. Finally in December 1916 the Congress and the League held a joint session at Lucknow in which Hindu-Muslim unity was passionately preached from the platform and a scheme of reforms was unanimously adopted as the irreducible minimum which would satisfy India. The Congress-League scheme, as it came to be called, was the result of important concessions by both sides. The Muslims won a unique victory when the Congress, of its own free will and without any reservations, accepted separate electorates and made them the pivot of the scheme. Not only did the Congress accept separate Muslim representation where it had already existed but also agreed to its introduction in the Panjab and the Central Provinces where it had not existed hitherto. Another feature of the agreement was that the Muslims and the Hindus were to have weightage in provinces where they formed minorities. The Muslims agreed to forego a quarter of the seats to which they would have been entitled on the basis of their population in Bengal. In the Panjab they were to surrender one-tenth of their seats. In return they were given 30 per cent seats in the United Provinces though they constituted only 14 per cent of the population. In Madras, where they formed but 6.15 per cent of the population they got 15 per cent seats. At the Centre one-third seats were allotted to the Muslims. The Muslims were to lose the double advantage, that they had been enjoying since 1909, of also a voting in general electorates. No bill or resolution affecting a

[1] Full text in *East India (Constitutional Reforms): Addresses presented in India to His Excellency the Viceroy and the Rt. Hon. the Secretary of State for India,* 1918, Cd. 9178, pp. 95-97.

community was to be proceeded with in any Council if three-fourths of the representatives of that community were opposed to it.

The Muslims agreed to support the constitutional structure embodied in the Congress-League scheme. This structure was based on the following principles: (1) Provinces should be given the maximum administrative and financial autonomy; (2) Only one-fifth of the provincial and central legislative councils should be nominated; the rest should be popularly elected; (3) Not less than half of the members of the central and provincial governments should be elected by the elected members of their respective legislative councils; (4) Central and provincial governments would be bound by the resolutions passed by their respective legislative councils unless they were vetoed by the Governor-General or the Governors-in-Council; in the event of such a veto if the resolutions were again passed after an interval of not less than one year, they would be put into effect notwithstanding the veto; (5) The Central legislative council would have "no power to interfere with the Government of India's direction of the military affairs and the foreign and political relations of India, including the declaration of war, the making of peace and the entering into treaties"; (6) The relations of the Secretary of State with the Government of India should be similar to those of the Secretary of State for colonies with the Governments of the Dominions, and India should have an equal status with that of the Dominions in any body concerned with imperial affairs.[2]

The scheme was by no means perfect. In the first place, it did not solve the fundamental and difficult problem of representative government in a heterogeneous population. It gave the elected majorities much greater power to obstruct the governments without being in a position to replace those governments and take over the responsibilities of administration. Thus an irremovable executive was sought to be tagged on to a powerless legislature. The net result would have been a stalemate in which real power would have been exercised by civil servants who were under the

[2] Full text in *Report of the 31st Indian National Congress (1916)*, pp .77 ff.

ultimate control of the British parliament. The scheme, in this sense, could not be said to envisage a fully representative or parliamentary system of government. This defect was probably due to the fact that the Congress and the League could not expect at that stage that the British would concede full responsibility to the legislatures. The second point worth mentioning is that the Muslims gained certain advantages under the terms of the Lucknow Pact at the cost of their majorities in Bengal and the Panjab. As subsequent events showed, weightage in the minority provinces was not of much use to them, whereas the loss of majorities in two major provinces resulted in serious handicaps. Its full effect was felt after the elections of 1937 and 1945, when the Muslim League encountered grave difficulties in forming ministries in the Panjab and Bengal.

But these implications were forgotten in the new zeal of forming a united front against the British Government and of presenting a joint statement of demands.

The Montagu Declaration

In the meantime, Lord Chelmsford had sent a dispatch to Austen Chamberlain, the Secretary of State for India, suggesting means of conferring some concessions upon the representatives of the Indian people. India Office was yet evolving its scheme when Chamberlain left the Cabinet on the Mesopotamian issue and his Under Secretary, Edwin Montagu, succeeded him. He gave close attention to the Viceroy's dispatch and finally persuaded the War Cabinet and Lloyd George to agree to make a definite and favourable statement in regard to Government's intentions of introducing a measure of constitutional reform in India.

There was considerable difference of opinion in the Cabinet on the point of promising "self-government" to India, for this phrase implied the creation of a parliamentary system based on the British pattern. Lord Curzon took the matter in his hands and played a prominent part in drafting the final announcement which spoke of "responsible government" rather than of "self-government". Curzon thought the former phrase was safer and less committal.

It was thus on 20 August, 1917, that Montagu, with the full authority of the Cabinet, made the celebrated announcement of British policy in India in reply to a question in the House of Commons. The relevant passages read as follows: "The policy of His Majesty's Government, with which the Government of India are in full accord, is that of the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India as an integral part of the British Empire. . . . I would add that progress in this policy can only be achieved by successive stages. The British Government and the Government of India, on whom the responsibility lies for the welfare and advancement of the Indian peoples, must be judges of the time and measure of each advance, and they must be guided by the co-operation received from those upon whom new opportunities of service will thus be conferred and by the extent to which it is found that confidence can be reposed on their sense of responsibility."[3]

In spite of Curzon's deliberate choice of words the announcement meant exactly what he did not want it to mean. "Responsible government" implies "self-government" because it stands for parliamentary or cabinet government in which the government is responsible to the elected representatives of the people. Against the historical and constitutional background of Britian and the colonies "responsible government" could only mean a government responsible to the people. Later when Curzon discovered the futility of his diction he was, his biographer tells us, greatly perturbed.[4]

Montagu-Chelmsford Reforms

In pursuance of the policy laid down in the announcement Montagu toured India in the winter of 1917-18 in company with Lord Chelmsford, the Viceroy. They interviewed political leaders of all opinions, visited all provinces and discussed matters with official advisers. In the summer of 1918 appeared the results of

[3] H. C. 5s. 97, 20 August, 1917, col. 1695.

[4] See Lord Ronaldshay, *Life of Curzon* (London: 1928), vol. II, Chap. X.

this tour and exchange of views in the shape of the Montagu-Chelmsford Report.

The Report was, to use Coupland's words, a declaration of belief in the philosophy of liberalism[5]—in the Indian context. It frankly admitted the backwardness of the Indian people, but it refused to wait till they were fit for freedom. For this reason indirect election to provincial councils gave place to direct election on as wide a franchise as would be practicable. But the Hindu-Muslim antagonism was "the difficulty that out-weighs all others". The Lucknow Pact was a "testimony to the growing force of national feeling", but "to our minds so long as the two communities entertain anything like their present views as to the separateness of their interests, we are bound to regard religious hostilities as still a very serious possibility. The Hindus and Muhammadans of India have certainly not yet achieved unity of purpose or community of interest."[6] The Report disapproved of separate electorates in principle, but retained them in practice. The Muslims regarded them as "their only adequate safeguards" and they had necessarily to be maintained. Separate representation was extended to the Sikhs, but refused to other minorities.[7]

Coming to the Report's recommendations on the future constitutional structure, it firmly rejected the Congress-League scheme.[8] The outstanding new device applied to India was dyarchy. Certain subjects in each province were to be "transferred" to the control of Ministers chosen from and responsible to the majority in the legislative council. In this sphere the Governor was normally to act on the advice of the ministers. The other subjects were to be "reserved" to remain under the control of the Governor and his Executive Council, whose members would be officials responsible, not to the provincial legislative council, but to the Secretary of State. The Governor was empowered to enact any bill, including a money bill, over the head of the legislative council if he "certified" that it was essential.[9]

[5] R. Coupland, *The Indian Problem, 1833-1935* (London: 1942), p. 54.
[6] *Montagu-Chelmsford Report*, Sections 151-154.
[7] *Ibid.*, Sections 227-232.
[8] *Ibid.*, Sections 167-177.
[9] *Ibid.*, Sections 218-221.

At the Centre, the central legislative council (which in 1918 was a small body of 67, of whom 35 were officials and 5 nominated non-officials) was to be replaced by a bicameral legislature: the Council of State and the Indian Legislative Assembly. In both a great majority of members would be elected.

Finally, at the end of ten years a commission should be appointed to examine the working of the system and to advise as to whether the time had come for complete responsible government in any province or provinces or whether some subjects now "reserved" should be "transferred".[10]

These recommendations were incorporated in a Bill which, after full consideration by a joint committee and discussion in parliament, was passed as the Government of India Act of 1919.

The Act faithfully echoed the Report. Provincial legislatures were enlarged and in no case was the elected element to be less than 70 per cent. Franchise was extended mainly by lowering the property qualification. Communal representation was (despite the Report's recommendation to the contrary) extended to all minorities. Devolution of authority from the Centre to the provinces was for the first time made definite, precise and obligatory. In the provinces, law and order and land revenue were "reserved" subjects, while others, including education, agriculture, public health and local government, were "transferred" to ministers. The Report's recommendation that the upper chamber of the central legislature should be mainly nominated was rejected, and the Council of State was made partly elective and partly nominated. Both houses were to be directly elected. The Governor-General's Executive Council was to continue to be responsible only to the Secretary of State for India. The Governor-General could "certify" and thus enact any law over the head of the legislature.

The working of the 1919 Reforms: 1920-1927

In the elections held in 1920 under the new Act, the Congress took no part. It had attacked the Montagu-Chelmsford Report in 1918

[10] *Ibid.*, Section 261.

and the Act in 1919. But the National Liberals, who had come into existence in 1918 as the result of a split in the Congress over the Report, participated and took office as ministers in most of the provinces. In 1923, however, the Congress decided to contest the next elections, not with a view to working the Constitution but to destroying it from within. This was done under the party label of Swarajists.

Hindu-Muslim *entente,* forged during the hectic *Khilafat* days, was now gradually falling to pieces. It was on the *Khilafat* issue that in 1920 the first civil disobedience movement had been started. For many months Hindus and Muslims worked side by side. Communal fraternity was preached as well as practised. The first blow at this unity was struck in the summer of 1921 when the Moplahs of Malabar, a Muslim community of mixed Arab-Nair descent, rose against the Government as well as their Hindu landlords. Military action and a prolonged spell of martial law succeeded in suppressing them. There was such bitter propaganda in the Hindu press that the honeymoon period of Hindu-Muslim relations came to an end. Savage punishment was meted out to the Moplahs at which the Hindu press and leadership expressed such satisfaction that the Muslims felt hurt. This rift emboldened the government to crush and try the Ali Brothers. The turn of Hindu leaders also came and the mass movement against the British fizzled out. This brought to a close the chapter of Hindu-Muslim *rapprochement* in the history of the subcontinent.

The 1919 Constitution was also responsible for widening the gulf between the Hindus and the Muslims. Indian Ministers were now responsible to Indian politicians. They enjoyed executive power. Their policies accentuated communal differences.

The Muslims had reacted favourably to the Montagu-Chelmsford Report and the 1919 Act. They were not completely satisfied, but they did not reject the Constitution as the Congress did. But in 1919 the Muslim League went radical. It identified itself with the Congress and did not meet as a separate body between 1919 and 1924.[11] When at last it did meet in 1924, under Jinnah's presi-

[11] *Indian Quarterly Register*, vol. I, No. 2.

dentship, it insisted on an immediate and far-reaching constitutional advance. Its resolution on *Swaraj* contained six "principles". The first four dealt with minority safeguards and separate electorates. But the last two introduced two new demands: India must be a federal polity and any territorial redistribution shall in no way affect the Muslim majorities in the Panjab, Bengal and the North-West Frontier Province.

Prospects of parliamentary government were, thus, influencing Muslim policy. The Muslim League foresaw that, even in a federal India, the Centre was bound to be Hindu-dominated. Therefore, it demanded full provincial autonomy. It also wanted assurance that its control over the Muslim-majority provinces would not be loosened through wittling down the Muslim majorities of the Panjab, Bengal and the N.W.F.P. This fear of Hindu domination was ultimately to lead to the idea of Pakistan.

As time passed communal disturbances increased in frequency and scale.[12] The Hindus started the *Shuddhi* movement aimed at the mass conversion of certain backward groups of Muslims who had adhered to some Hindu customs after having accepted Islam. The main instrument was social pressure. They also set on foot the *sangathan* programme which sought to organize the Hindus into a militant force to fight the Muslims. It persuaded the Hindus to learn drill and the use of arms. The Muslims replied with the *tabligh* and *tanzim* movements. The struggle for power had begun.[13] The Muslim movements, however, did not gather much momentum because of lack of material resources.

Nehru Report

Towards the end of 1927 the British Government, in pursuance of the Government of India Act of 1919, appointed a statutory Commission to inquire into the working and future of the Indian Constitution. It consisted of members of Parliament and no Indian was represented on it. In a speech in the House of Lords, Lord

[12] A detailed list is given in *Indian Statutory Commission*, Vol. IV, part I, pp. 108-120.

[13] For details *vide* I. H. Qureshi, *The Muslim Community of the Indo-Pakistan Subcontinent*, *op. cit.*, pp. 279-282.

Birkenhead, the Secretary of State for India, had justified the all-white composition of the Commission by the argument that no body on which Indians were represented could present a unanimous report. This stung the Congress leaders. The All-Parties Conference, which had been convened by the Congress to protest against the composition and terms of reference of the Statutory Commission, was now asked by the Congress leaders to prepare a Constitution for India to confound Birkenhead and the British Government. The Conference appointed a committee, with Motilal Nehru as Chairman,[14] to fulfil this task. The report of this Committee is generally known as the Nehru Report and contains what the Congress would have prescribed and enforced had it been in power.

Here we are concerned only with the Nehru Report's treatment of the Muslim problem. It was treated as a purely religious and cultural matter. "If the fullest religious liberty is given, and cultural autonomy provided for, the communal problem is in effect solved, although people may not realize it." With this assumption before it the Report proceeded to lay down three proposals. A Declaration of Rights should be inserted in the Constitution, assuring the fullest liberty of conscience and religion. The N.W.F.P. should be given full provincial status and Sind should be taken away from Bombay and made a separate province; as a set-off to this a new Hindu Canarese-speaking province in southern India should be created. Separate electorates should be immediately abolished. No seats should be reserved for Muslims except at the Centre and in the provinces where they were in a minority. No weightage should be allowed.[15]

Now the Muslims knew where they stood in Congress schemes. Separate electorates had been given to them in 1909 and no British Government had even contemplated a withdrawal of this concession. In 1916 when the Congress wanted the Muslim

[14] Members: M. S. Aney, M. R. Jayakar, G. R. Pradhan, Tej Bahadur Sapru, M. N. Joshi, Mangal Singh, Ali Imam and Shoaib Qureshi.

[15] All-Parties Conference, *Report of the Committee appointed by the Conference to determine the Principles of the Constitution for India* (Allahabad: 1928).

League's support it cheerfully approved of them and provided for them in the Congress-League scheme. But now the Congress changed its mind. Separate representation was to go, and so was weightage.

Further, the Report clearly rejected federation as a possible solution of the communal problem. The Nehru Constitution was firmly based on the principle of a unitary government. The Muslim League's resolution of 1924 was not even mentioned in the Report.

A Muslim member of the Nehru Committee, Shoaib Qureshi, disagreed with the proposals, but his pleadings were summarily rejected. The immediate result of the publication of the Report was that Muslims of all shades of opinion united in opposition to it. The two wings into which the Muslim League had been split since 1927 came closer. Nearly every shade of opinion in Muslim politics was represented in the All India Muslim Conference which met at Delhi in 1929 under chairmanship of the Aga Khan and laid down the demands of Muslim India in the clearest possible terms:

(1) The only form of government suitable to Indian conditions was a federal system with complete autonomy and residuary powers vested in the provinces;
(2) Separate electorates were to continue;
(3) Existing weightage for the Muslims in the Hindu-majority provinces was to continue;
(4) Muslims should be given "their due share" in the central and provincial cabinets;
(5) A due proportion of seats should be given to Muslims in the public services and on all statutory self-governing bodies;
(6) There must be safeguards for "the protection and promotion of Muslim education, language, religion, personal laws, and Muslim charitable institutions";
(7) "No Constitution, by whomsoever proposed or devised, will be acceptable to Indian Musalmans unless it conforms with the principles embodied in this resolution."[16]

[16] Full text of the resolution in *Report of the Indian Statutory Commission*, vol. II, pp. 84-85.

This resolution was the Muslim reply to the Nehru Report. The rejection of the Congress-inspired Constitution was complete, unanimous and clear. On two points the Muslims were adamant. Separate electorates must continue and India must have a federal form of government. This postulated the irreducible conditions which would make a constitution for India acceptable to them. The Nehru Report was primarily repudiated because it denied these conditions.

It should be mentioned at this stage that Jinnah tried to persuade the All Parties Convention, which was meeting at Calcutta in 1928, to accept some of the Muslim demands. He, along with Tasadduq Aḥmad Khan Sherwani, a nationalist Muslim, suggested it to the Committee appointed by the Convention to negotiate with the Muslims that the following modifications be made in the recommendations of the Nehru Report:

"(1) One-third of the elected representatives of both the houses of the central legislature should be Mussalmans;

(2) In the Panjab and Bengal, in the event of adult suffrage not being established, there should be reservation of seats for the Mussalmans on the population basis for ten years subject to a re-examination after that period, but they shall have no right to contest additional seats;

(3) Residuary powers should be left to the provinces and should not rest with the central legislature."

The Committee rejected these suggestions. Jinnah then moved them one by one in the open session of the Convention and in spite of his arguments and appeals they were thrown out.[17]

This was in January, 1929. In March he drew up his famous fourteen points which were endorsed by the Jamiat Ulama-i-Hind in its next session and greatly influenced Muslim thinking for the better part of the next decade.[18]

17 Ram Gopal, *Indian Muslims* (Bombay: 1959), pp. 213-215. A Hindu author says about Jinnah's speech that it was "worthy of the Ambassador of the Hindu Muslim unity", S. K. Majumdar, *Jinnah and Gandhi* (Calcutta: 1966), p. 113.

18 *Ibid.*, pp. 217-220; also Mohammad Nauman, *Muslim India* (Allahabad: 1942), pp. 283-287. For the text of the Fourteen Points, *vide infra*, Appendix A.

The Simon Report

The Statutory Commission, commonly referred to as the Simon Commission after its Chairman, Sir John Simon, consisted of Lord Burnham, Lord Strathcona and Mount Royal, Edward Cadogan, Stephen Walsh, Richard Lane-Fox and C. R. Attlee. Later Walsh resigned and was replaced by Vernon Hartshorn. The Commission visited India in February-March 1928 and again in October 1928-April 1929.

Indian reaction to the appointment of the Commission was mixed. The Indian Legislative Assembly resolved to boycott it, while the Council of State decided to extend co-operation.[19] The Congress was in favour of unqualified boycott of the Commission. But the National Liberal Federation, the Scheduled Caste Federation, the Indian Christians, the Parsees and other small minorities decided to work with it. The Muslim League was of two minds. One wing, led by Jinnah, sided with the Congress and boycotted Commission, while the other wing, led by Sir Mohammad Shafi, opted for co-operation. One of the Commissioners, Sir Edward Cadogan, later recorded that Muslims and Untouchables co-operated out of an intense suspicion of the Brahmin; Muslims, in particular, were ready to co-operate in any thing provided they received assurance of security from Hindu domination.[20]

The Simon Report was published in May 1930. The first volume surveyed the whole Indian problem, the second presented the Commission's recommendations and proposals.[21]

The Report rejected the unitary system for India and was of the opinion that the future framework must be federal. Therefore, the advance of the 1919 Constitution must be a continuance of the process of devolution from the centre to the provinces. Dyarchy should be scrapped and the whole of the provincial government should be in the hands of ministers responsible to popularly elected legislatures. Thus every province would have full res-

[19] Resolutions of 18 and 23 February, 1928, respectively.

[20] E. C. G. Cadogan, *The India We Saw* (London: 1933), pp. 23, 55.

[21] Cmd. 3658 and Cmd. 3659.

ponsible government. But, provincial cabinets would not be formed entirely on the British model as the Governors would choose the ministers who commanded a majority in the assemblies and not merely appoint a Prime Minister who would then name the cabinet. The Prime Minister would be free from all control by the Governor or the Central Government, except in some stated matters like the safety of the province or the protection of minorities. As the ministers were to exercise greater authority, franchise was to be extended and provincial assemblies enlarged.

The N.W.F.P. should be given a legislative council but no measure of responsible government. The question of separating Sind was to be further examined.

At the centre, the Federal Assembly should be elected by the provincial councils. The election and nomination of the Council of State should also be on a provincial basis, each province to have three members in the Council.

No substantial change was recommended for the central executive. The government would be fully official, without responsibility, without even dyarchy. This was explained by the need of a strong and stable government "while the provincial councils were learning by experience to bear the full weight of new and heavy responsibilities".

A Council of Greater India, representing both British India and the States, would be set up, to discuss, in a consultative capacity, all matters of common concern to all India. A list of such matters would be drawn up and scheduled.

Finally, the procedure of periodical inquiries would be given up. The new constitution would be so framed that it could develop by itself.

Indian political parties reacted to the Report in different ways. At its Lahore session of December 1929 the Congress had authorised its Working Committee to start a "civil disobedience" movement as and when it deemed proper. In April, 1930 this

campaign was launched under Gandhi's command after the Report's publication in March. Demonstrations and violence accompanied the movement. The Working Committee was declared unlawful and Gandhi and Jawaharlal Nehru were arrested.

The Muslims denounced Gandhi's campaign in no uncertain terms and at a meeting of the All India Muslim Conference at Bombay in April, 1930, Mohamed Ali bluntly said that while Muslims were opposed to British domination they were equally opposed to Hindu domination. "We refuse to join Mr. Gandhi, because his movement is not a movement for the complete independence of India but for making the seventy millions of Indian Musalmans dependents of the Hindu Mahasabha."[22]

On the Simon Report specifically the Muslims reserved their judgement, knowing that the Report's recommendations were not final and that the matters would be finally decided at the Round Table Conference. They stuck to their charter of demands embodied in the Muslim Conference resolution of January 1929.

Round Table Conference: 1st Session

The first session of the Conference opened in London on 12 November, 1930. All the parties were represented except the Congress which had given the ultimatum that unless the Nehru Report was enforced in its entirety as the constitution of India it would have nothing to do with further constitutional discussions.

The outstanding decision taken was the approval of a federal system of government for India. The Maharaja of Bikaner sprang a welcome surprise by declaring that the Princes would wholeheartedly associate themselves with British India to form an all-India federation. The Princes could not be coerced, but they would come in of their own free will provided their rights were guaranteed.[23]

There was a general unanimity on other points too. Mohammad Shafi and Jinnah, for the Muslim League, supported Sapru in the demands for Dominion Status and responsible government at

[22] *The Times of India*, 24 April, 1930.

[23] *Indian Round Table Conference (First Section)*, Cmd. 3778, pp. 36-37.

the Centre. All the parties welcomed the idea of an all-India federation.[24]

After thus laying down the principles of a future constitution, the Conference dealt with the details through eight sub-committees —on Federal Structure, Provincial Constitution, Franchise, Sind, the North-West Frontier Province, Defence Services, and Minorities.

The deliberations of the minorities sub-committee were inconclusive, and, at the end, the Muslim delegation declared that in those circumstances the only course was "to reiterate our claim that no advance is possible or practicable, whether in the Provinces or in the Central Government, without adequate safeguards for the Muslims of India, and that no constitution will be acceptable to the Muslims of India without such safeguards".[25]

The session closed on 19 January 1931, with a statement by the Prime Minister, Ramsay Macdonald, that the Government accepted the proposals for full responsible government in the Provinces and for responsible government with "some features of dualism" at a federated centre.[26]

Delhi or Gandhi-Irwin Pact

The Congress had been absent from the first session of the Conference. But when preparations for the second session were under way, the British Government decided to remove this deficiency by making peace with the Congress. Wedgwood Benn, the Labour Secretary of State, wrote to Lord Irwin, the Viceroy, about the desirability of coming to some sort of terms with the Congress so that it should suspend its civil disobedience campaign and attend the second session.[27] It was in accordance with these instructions that Irwin released Gandhi unconditionally and this was followed by the historic interview between the Viceroy and Gandhi spread over four days, 17, 18, 19 and 27 February. The agreement between the Government and the Congress was signed on 5 March.

[24] See *ibid.* pp. 55, 147, 149.
[25] *Ibid.* p. 246.
[26] *Ibid.* pp. 505-506.
[27] See B. R. Nanda, *Mahatma Gandhi* (London: 1958), pp. 301-303.

This Delhi or Gandhi-Irwin Pact stipulated the following: (1) The Congress would discontinue its civil disobedience movement; (2) The Congress would participate in the Round Table Conference; (3) The Congress would be permitted peaceful picketing to persuade people to buy only Indian made goods; (4) The Government would withdraw all Ordinances issued to curb the Congress; (5) The Government would withdraw all notifications declaring certain associations unlawful; (6) The Government would withdraw all prosecutions relating to offences not involving violence; (7) The Government would release all persons undergoing sentences of imprisonment for their activities in the civil disobedience movement; (8) The Government would make certain other concessions in respect of fines imposed, movable goods seized and the location of punitive police during the unrest.[28]

The implications of the Pact were obvious. Concessions were made to Gandhi and the Congress at a time when they were resisting lawful authority openly and deliberately. Gandhi's influence was redoubled. The prestige of the Government was gravely affected. Gandhi negotiated with the Viceroy on a footing of equality in a manner as if two potentates were deciding the future of India. Parties other than the Congress were completely ignored. Agitation was patronized. It was a serious blow to British authority in India. It also discouraged the Muslims who saw in it a repeat performance of Lord Crewe's repeal of the partition of Bengal.

All evidence points to the conclusion that the British Government was anxious to bring the Congress to the Conference table and considered no price too high to pay for attaining this.

The Muslims were feeling uneasy during the progress of Gandhi-Irwin talks,[29] and when the Pact was published they did not hesitate to express their disapproval and fears.

[28] Full text in *India in 1930-31* (Delhi: 1932), pp. 655, 659.

[29] See *The Times*, 27 February, 1931; *India in 1930-1931*, *op. cit.*, p. 119. Several Hindu writers feel that it was Lord Irwin who scored a victory, S. K. Majumdar, *Jinnah and Gandhi*, *op. cit.*, pp. 134-137. Jawaharlal Nehru was unhappy and *The Times* (London) said, "Such a victory has seldom been vouchsafed to any viceroy." *Ibid.*

Round Table Conference: 2nd Session

Thus when the second session of the Conference opened on 7 September 1931, Gandhi was there as the sole representative of the Congress. The main work of the Conference was done through the two committees on Federal Structure and Minorities. Gandhi was a member of both, but his performance was disappointing.

Gandhi adopted an unreasonable attitude on practically all points. He claimed that he represented all India because the Congress spoke for all Indians irrespective of caste, religion and race and, "by right of service", "even the princes".[30] He dismissed all other Indian delegates as unrepresentative because they did not belong to the Congress. He dubbed them as official hangers-on because they had been nominated by the Government. He alone represented India in the Conference.[31]

After claiming this pre-eminent status for himself he quietly sat back and "seemed unwilling or unable to make any practical suggestion of his own for bringing a settlement about".[32]

The communal problem once again presented the most difficult obstacle to the delegates. The Minorities Committee was almost perpetually in session but agreement seemed as far away as ever. When no solution was forthcoming, Gandhi, as his last bid at resolving the issue, tabled the Congress scheme for a settlement which was a reproduction of the Nehru Report.[33] This stiffened the attitude of all minorities, for they had repudiated the Nehru Report as long ago as 1928. As a counter to the Congress scheme the Muslims, the Depressed Classes, the Indian Christians, the

[30] *Indian Round Table Conference (Second Session): Proceedings of the Conference*, p. 390.

[31] *Indian Round Table Conference (Second Session): Proceedings of Committees*, p. 530.

[32] Coupland, *op. cit.*, p. 125.

[33] Text of Gandhi's Scheme in *Proceedings of Committees*, p. 548. Gandhi henceforth was to shun any attempt at the solution of the communal problem. "He wanted an assurance from his Mussalman and Sikh friends that they would agree to any future Constitution of India being fashioned only on the basis of Indian nationalism, untainted by any communal considerations." Pattabhi Sitaramayya, *History of the Indian National Congress*, vol. I, (Madras: 1935), p. 150.

Anglo-Indians and the Europeans presented a joint statement of claims which, they said, must stand or fall as an inter-dependent whole. As their main demands were not acceptable to Gandhi, the communal issue was postponed for future discussion.

On the concluding day, 1 December, Ramsay Macdonald made a fervent appeal to all leaders to reach a communal settlement and, at the end, told them that if such an agreement was not forthcoming within a reasonable period the British Government would have no alternative to laying down a provisional scheme of its own.[34]

Round Table Conference: 3rd Session

On his return to India, Gandhi once again started his civil disobedience movement and was duly arrested. But this renewal of disorder did not affect the preparations for the final session of the Conference. Three important committees drafted their reports: the Franchise Committee under Lord Lothian, the Federal Finance Committee under Lord Eustace Percy, and the States' Inquiry Committee under J. C. C. Davidson.

After vainly waiting for some mutual settlement among Indians themselves, the British Government published their own Communal Award in August, 1932. It retained separate electorates for the Muslims and for all other minorities. Weightage was given to the Muslims in the Hindu-majority provinces and to the Sikhs and Hindus in the Pånjab. But the Muslim majorities in the Panjab and Bengal were reduced to minorities. In the Panjab, where the Muslims formed 57 per cent, Hindus 27 per cent, and the Sikhs 13 per cent of the population, Muslims received 49 per cent, Hindus 27 per cent and the Sikhs 18 per cent of the total seats in the legislature. Similarly, in Bengal where the Muslims formed 55 per cent and Hindus 43 per cent of the total population,

[34] Full text of the joint statement in *ibid.*, pp. 550-555. Jinnah was greatly disappointed. He said, "I received the shock of my life at the meetings of the Round Table Conference. In the face of danger, the Hindu sentiment, the Hindu mind, and the Hindu attitude led me to the conclusion that there was no hope of unity." M. H. Saiyed, *Mohammad Ali Jinnah: A Political Study* (Lahore: 1945), p. 591.

Muslims received about 48 per cent and Hindus 43 per cent of the total provincial seats.[35]

The award was not popular with any Indian party, but it was inevitable because there was lack of agreement among them. The Congress was more outspoken and rejected the Award *in toto*. It was only after Gandhi had, through a fast, blackmailed Ambedkar into an agreement to renounce separate electorates for the Untouchables that the Congress criticism of the Award slightly abated. The Muslims were not pleased, particularly regarding the disappearance of their majorities in the Panjab and Bengal, but they had themselves suggested a British award, had promised to abide by it and had limited their freedom of action much earlier when they had entered the Lucknow Pact.

The third and last session of the Conference, which began on 17 November, was short and unimportant. The Congress was once again absent; so was the Labour opposition in the British Parliament. Reports of various committees were scrutinized, lost threads were picked up, and the Conference ended on Christmas eve amid expressions of goodwill.

The emergence of Reforms

The rest of the story can be briefly told. The recommendations of the Round Table Conference were embodied in a White Paper.[36] It was published in March, 1933 and debated in Parliament directly afterwards. In the next stage the White Paper was considered by a Joint Select Committee of both houses of Parliament. It consisted of sixteen members from each chamber. Twenty representative Indians from British India and seven from the States were appointed to this committee as assessors; they included five Muslims: the Aga Khan, Mohammad Zafrulla Khan, Shafaat Ahmad Khan, Abdur Rahim, and A. H. Ghaznavi. Lord Linlithgow presided over the deliberations of the committee.

The Committee sat from April 1933 to November 1934, and finally reported to Parliament on 22 November. The Report[37] was

[35] Cmd. 4147 of 1932.

[36] Cmd. 4268.

[37] Parliamentary Paper H. L. 6 (I Part I) and H. C. 5 (I Part I) of 1954.

not unanimous. Nineteen members signed the Report, and nine did not. This minority consisted of 5 diehards who opposed any concession to India and 4 labourites who thought the Report did not go far enough.

The Report was debated in Parliament in December and approved by the House of Commons on 12 December and the House of Lords on 18 December. The second reading took place in February 1935. After the final reading and the Royal Assent the Bill at last reached the statute book on 24 July, 1935.[38]

The Government of India Act, 1935

The 1935 Act[39] contained 14 parts and 10 schedules. The whole of it came into operation on 1 April, 1937, except Part II which dealt with the All India Federation. Part II could not operate until a specific number of States acceded to the Federation, and as no State had done so till the outbreak of World War II the federal part of the Constitution never came into operation.

The most important feature of the Act was that, for the first time, it made the provinces separate legal entities. Three lists of subjects were drawn up: the Federal List, the Provincial List and the Concurrent List. The division of financial resources was designed to strengthen provincial independence. Sind was separated from Bombay and given the status of a separate province. The North-West Frontier Province was, for the first time, invested with full provincial powers. Provincial franchise was enlarged by lowering property qualifications.

Every province was given a Council of Ministers whose advice was binding on the Governor except in so far as he acted "in his discretion" or exercised his "individual judgement". In the discharge of his special responsibilities (summarized by the above two phrases) the Governor was to act under the general control

[38] For a first hand account from the inside see Templewood, *Nine Troubled Years* (New York: 1954). It was Sir Samuel Hoare, the then Secretary of State for India, who piloted the bill.

[39] 25 and 26 Geo V, c. 42.

of the "Governor-General in his discretion". Dyarchy was completely eliminated. There was to be a single cabinet, made up on the British model, and normally the Governor was to act on its advice.

The Council for the Secretary of State for India was abolished and replaced by a body of Advisers, not less than three and not more than six, to the Secretary of State. But their advice did not bind the Secretary of State, except in regard to the public services. The cost of the India Office was now to be charged to British revenues.

CHAPTER 4

The Establishment of Provincial Autonomy

Princes and Federation

It will be recalled that during the deliberations of the Round Table Conference the representatives of the Princely States had indicated their willingness to enter the future Indian Federation. In fact, one of the fundamental factors in favour of a projected federal polity was the readiness of the States to join it. Later, however, the Princes seem to have changed their mind about the desirability of coming into the Federation. Though this States-Federation controversy lies beyond the scope of our subject, yet its inherent significance and its complications for the postponement of federation make it necessary to treat it in some detail.

As Sir Reginald Coupland has said, it seems in retrospect as if the Princes had hardly realized the importance and gravity of their commitment to enter an Indian Federation with responsible government.[1] The attitude of the Princes may best be read in the *Views of Indian States on the Government of India Bill,* which

[1] R. Coupland, *Report on the Constitutional Problem in India, Pt. II, Indian Politics 1936-1942* (London: 1943), p. 2.

contains both their comments and the comments thereupon of the Secretary of State for India.[2]

Paramountcy was the issue at stake; and this had already been treated by the *Report of the Indian States Committee* (Butler Committee). It had conceded that "the relationship between the Paramount Power and the Princes should not be transferred, without the agreement of the latter, to a new Government in British India responsible to an Indian Legislature".[3] But on other points the Princes' claims had been rejected in clear terms. For its authority it had quoted what Lord Reading had declared in 1926: "The sovereignty of the British Crown is supreme in India, and, therefore, no ruler of an Indian State can justifiably claim to negotiate with the British Government on an equal footing. Its supremacy is not based only upon treaties and engagements, but exists independently of them. . . ."[4] Realizing the difficulties involved in the operation, the Committee had wisely refrained from defining Paramountcy. "Paramountcy must remain paramount", it said, "it must fulfil this obligation, defining or adapting itself according to the shifting necessities of the time and the progressive development of the States."[5]

This was naturally unacceptable to the Princes, and they objected to the Government of India Bill (1935) because their own interpretation of Paramountcy ran counter to the one adopted by, and made the foundation of, the Bill. Therefore, a meeting of the Indian Princes and their representatives was held in Bombay on 25 February, 1935, in which a resolution was passed saying that "in many respects the Bill and the Instrument of Accession depart from the agreements arrived at during the meetings of representatives of the States with members of H. M. Government and [that] the Bill and the Instrument of Accession do not secure those vital

[2] *Views of Indian States on the Government of India Bill: Correspondence relating to a meeting of States' Rulers held at Bombay to discuss the Government of India Bill and a provisional draft Instrument of Accession* (March 1935), Cmd. 4843.

[3] *Report of the Indian States Committee* (1929), Cmd. 3302, p. 52.

[4] *Ibid.*, p. 18.

[5] *Ibid.*, p. 31.

'interests and fundamental requisites of the states on which they have throughout laid great emphasis".[6] Accession to the Federation would be "a derogation of their position" from absolute rulers to subordinate units in a Federation.[7] They also objected to the Governor-General's special responsibility to prevent "any grave menace to the peace or tranquillity of India or any part thereof". This, they said, compromised their "sovereignty and internal autonomy".[8]

The Secretary of State for India, however, did not accept the validity of any of these claims or protests. He dismissed the vital issue of Paramountcy as of no particular relevance and emphasized that the nature of the states' "relationship to the King Emperor" was "a matter which admits of no dispute".[9] The Princes could not claim to be treated as equals with the Crown.

But these arguments and counter-arguments were not the heart of the matter. At most the Princes' complaints showed their dissatisfaction with certain constitutional provisions, while the British Government's reply exhibited an understandable anxiety not to compromise on the essence of Paramountcy. In short, the debate was more academic than real. The significant point was that the Princes were reluctant to join the Federation. And their reluctance was not so much due to the unsatisfactory drafting of the Instrument of Accession as to the political developments of this period, to which we now turn.

After 1936 the attitude of the Indian National Congress towards the States contributed a great deal to the uneasy feeling of the Princes.[10] Most Congress leaders dismissed the States with one derogatory adjective, "reactionary". The States were backward, conservative, oppressive and undemocratic. They must be done away with and a "free and united" India evolved out of this conglomeration of provinces and principalities. Many intemperate speeches were made which were hardly meant to attract the sym-

[6] Cmd. 4843, p. 13.

[7] *Ibid.*, p. 22.

[8] *Ibid.*, p. 20.

[9] *Ibid.*, p. 30.

[10] See Sir Frank Brown, "Historic Viceroyalty Closes", *Empire Review*, September, 1943, p. 16.

pathy of the Princes. What the Government of India Act (1935) conceded to the Princes did not satisfy them in the least. But when the Congress attacked these "concessions" as signs of British imperialism, the Princes could scarcely be expected to rejoice at the prospect of having the Congress as their future partner in an all-India legislature. Congress official policy from now onwards was one of undisguised hostility to the States. It encouraged agitation and even sedition against the princes. Even such comparatively progressive States as Mysore were not spared. Trouble occurred in Hyderabad, Travancore, Kashmir and the Orissa States. More or less violent disturbances took place everywhere. And Gandhi and the Congress Working Committee applauded this "revolt of the masses". When Congress ministries were installed in 1937, this anti-State agitation was stepped up. Gandhi laid down that Congress ministries had a moral duty to take notice of any misrule in the States and to advise the Paramount Power as to how it should be ended. In an extremely significant sentence he advised the Princes to "cultivate friendly relations with an organization which bids fair in the future, not very distant, to replace the Paramount Power—let me hope, by friendly arrangement".[11] This amounted to no less than a threat that, on the one hand, the Congress would soon wrest paramountcy from the Crown and, on the other, that it would then treat the Princes as they should be treated. Ten days later Gandhi's pronouncement was incorporated into official Congress policy when the Working Committee passed a resolution on 14 December, 1938, asserting the right of the Congress to "protect" the peoples of the States.[12] Similar sentiments were expressed in stronger term, by Jawaharlal Nehru in his presidential address to the All India States' People Conference in February, 1939.[13] From this point onwards the States were continually facing a danger from Congress-inspired attacks on their sovereignty and, what was far more important, on their maintenance of law and order.[14]

[11] *Harijan*, 3 December, 1938.

[12] Coupland, *op. cit.*, pp. 173-174.

[13] For full text of this address see his *The Unity of India* (London: 1941), pp. 27-46.

[14] See Birdwood, *A Continent Experiments* (London: 1945), p. 168; L.F. Rushbrook Williams, "Indian Constitutional Problems", *Nineteenth Century and After*, May, 1939, p. 563.

The States had been so far relatively free of communal friction which abounded in British India. Now with the commencement of the anti-State agitation, communalism reared its ugly head in the States too. Whether the Congress succeeded or not in democratising State Governments, it certainly disturbed the communal harmony that the Princes had so far maintained in their territories. In Hyderabad and Kashmir, where the religion of the ruler conflicted with that of most of his subjects, the so-called "democratic" struggle easily degenerated into Hindu-Muslim riots.

Thus the impact of the Congress-States controversy was unfortunate in two respects. In the constitutional sphere, it hardened the Princes in their opposition to a Federation in which they would be the "subordinate allies" of a Congress-dominated Government. It frightened them irrevocably, and the Congress must take a major portion of the blame for helping to postpone the operation of the federal part of the Government of India Act, 1935. In the general political field, the Congress ignited the flame of communal warfare in the States and widened the gulf between the Hindus and the Muslims to an unbridgeable extent. In the anxiety of the Congress to succeed the Paramount Power the Muslims saw a real danger to their interests. If the Congress could so treat the Princes who had independent relations with the Crown and were afforded protection under treaty terms, there would be no limit to its arrogance towards the Muslims. Thus thought the Muslim leaders of the day who were witnessing the Congress anti-States policy, and what they saw was hardly conducive to a Congress-Muslim *rapprochement.*[15]

To complete the story of the Princes it must be mentioned that in 1936-37 the Viceroy sent his personal representatives to almost all the States to discuss with the Princes the terms and prospects of accession. Views gathered by this touring official party were collected and considered by the Viceroy and the Secretary of State for India. This took some time and it was early 1939 when the British Government was in a position to communicate to the States the final terms on which their accession to the Federation

[15] For a good treatment of the Congress attitude towards the States see Coupland, *op. cit.*, Chapter XVI, pp. 167-178.

would be considered as valid. All the Princes had yet not replied to these terms when the War intervened and negotiations were suspended. As far as is known, the Princes were never again consulted on this point. Developments in the rest of India were soon to make the great dream of an Indian Federation a political impossibility. The Princes' incursion into all-India politics thus came to a final end.

Elections

The new central legislature had come into being at the same time as the new constitutional scheme. The Joint Select Committee had presented its Report in October 1934, and elections in British India had been held in the following winter. This election would, in the ordinary course of events, have been held in 1933, since the statutory duration of the Legislative Assembly was three years. This period was, however, extended for a further year. It must be remembered that this election was held under the provisions of the Government of India Act of 1919.

The total electorate for the 1934 election was 1,415,892 but only 608,198 votes were polled.[16] Unfortunately the White Paper on the election did not give the party position in the new legislature. However, we know that it was as follows:[17]

Congress	44
Congress Nationalists (mainly members of the Hindu Mahasabha)	11
Independents (all but 3 were Muslims)	22
Europeans	11
Officials	26
Non-official nominated members	13
Total	127

Elections to provincial legislative assemblies were held in 1937. Towards the end of 1936 both the Muslim League and the Congress issued their election manifestos.

The Muslim League manifesto laid down two main principles on which its representatives would work: "(1) That the pre-

[16] *Return showing the Results of the General Election to the Legislative Assembly in India, 1934* (July 1935), Cmd. 4939, p. 5.

[17] Coupland, *op. cit.*, p. 9.

sent provincial constitution and proposed central constitution should be replaced immediately by democratic full self-government; and (2) that in the meantime, representatives of the Muslim League in the various Legislatures will utilize the Legislatures in order to extract the maximum benefit out of the Constitution for the uplift of the people in the various spheres of national life." So long as separate electorates existed a Muslim League party was to be formed as a corollary in every provincial assembly. But "there would be free co-operation with any group or groups whose aims and ideals are approximately the same as those of the League party". The League appealed to all Muslims "that they should not permit themselves to be exploited on economic or any other grounds which will break up the solidarity of the community". In the last paragraph the manifesto indicated the platform for the elections: "To protect religious rights of Musalmans in which connection for all matters of purely religious character, due weight shall be given to opinions of the Jamiat Ulma-i-Hind and the Mujtahids; to make every effort to secure the repeal of all oppressive laws; to reject all measures which are detrimental to the interests of India, which encroach upon the fundamental liberties of the people and lead to economic exploitation of the country; to reduce the heavy cost of administrative machinery, Central and Provincial, and allocate substantial funds for nation-building departments; to nationalise the Indian Army and reduce military expenditure; to encourage development of industries, including cottage industries; to regulate currency, exchange and prices in the interest of the economic development of the country; to stand for social, educational and economic uplift of the rural population; to sponsor measures for the relief of agricultural indebtedness; to make elementary education free and compulsory; to protect and promote the Urdu language and script; to devise measures for the amelioration of the general conditions of the Musalmans; and to take steps to reduce the heavy burden of taxation; and to create healthy public opinion and general political consciousness throughout the country."[18]

[18] Full text in *The Indian Annual Register* 1936, vol. I, pp. 299-301.

The Congress echoed most of the above mentioned sentiments. It would work for "the establishment of civil liberty, for the release of political prisoners and detenues, and to repair the wrongs done to the peasantry and the public institutions in the cause of the national struggle". The uplift of the masses was the goal to be achieved through the reform of the system of land tenure, the reduction of agricultural rent and the relief of rural indebtedness. Some other points underlined by the manifesto were: improvement of industrial conditions in the towns; insurance against old age, sickness and unemployment; the maintenance of trade unions; and the removal of untouchability and disabilities of women. The Communal Award was condemned as inconsistent with democratic principles and disruptive of Indian unity. But no final opinion was expressed on future action on this controversial problem.[19]

It is obvious that the social policy of the two manifestos was much the same. Nor did they diverge much on political issues. Only on two points did the two documents differ. In the first place, the Muslim League pledged itself to protect and promote the Urdu language and script, while the Congress was "notoriously bent on making Hindi the national language of India".[20] In the second place, the Muslim League resolutely stood by separate electorates, while the Congress was critical of the system. Though now the Congress was uncompromisingly opposed to separate representation, in 1916 it had gladly agreed to this principle and since that date most Congress leaders had applauded the Lucknow Pact and recalled it as an example of Hindu-Muslim unity which was worth repeating. That only left the language issue, but was it so crucial as to prevent all future co-operation? There was nothing else in the Muslim League programme to stand in the way of Hindu-Muslim compromise. We have it on the testimony of an impartial observer that "the League manifesto was clearly an offer of co-operation", and had the Congress leaders accepted this offer the "whole constitutional controversy would have been different".[21] But, as will be seen later, the Congress

[19] *Ibid.*, vol. II, pp. 188-191. Full text also in Nehru, *The Unity of India*, *op. cit.*, p. 404.

[20] Coupland, *op . cit.*, p. 14.

[21] *Ibid.*, p. 15.

spurned this hand of friendship and rigidly refused to budge from its claim that it was the only embodiment of Indian nationalism. "But was it necessary for the Congress leaders to insist that Congress Muslims were the only authentic representatives of their community? Apparently not, since, at any rate, for the purposes of the elections, something like a concordat was established with the League. In the United Provinces the leaders of the two organizations agreed on a common platform."[22]

In all there were 1,585 seats in the provincial assemblies distributed as follows:—

General	809
Muslims	482
Commerce & Industry	56
Women	41
Labour	38
Land Holders	36
Sikhs	34
Europeans	26
Backward classes of tribes	24
Indian Christians	20
Anglo-Indians	11
Universities	8
Total	1,585

In addition there were 186 seats in the upper houses of six provinces, *viz.*, Bengal, Bihar, Assam, Bombay, Madras and the United Provinces. Thirty million electors were called upon to choose their representatives, of whom five million were women.[23]

Out of a total of 1,771 seats the Congress won 706—less than half. This was enough to prove that the Congress had no right to speak for all, or even a majority of, Indians. Further, there were 211 Hindu seats which went to non-Congress Hindus.

[22] *Ibid.*

[23] *Government of India Act 1935*, Schedule V, Table of Seats, Provincial Legislative Assemblies.

So the Congress did not even represent all Hindus. A great majority of the Muslim seats was won by the Panjab Unionist Party of Sir Fazl-i-Husain. It is true that the Muslim League won only 102 out of the maximum of 482 seats, but how far did the Congress succeed in capturing Muslim seats? It contested only 58 seats and won only 26. Thus it represented only about 5 per cent of Indian Muslims. Moreover, most of the Congress successes in Muslim constituencies were in the N.W.F.P. It was in the two Muslim provinces of the Panjab and Bengal that the Congress claim of representing Muslims was put to the hardest test; and in both it miserably failed. In the Panjab it captured only 18 seats out of 175, and in Bengal only 60 seats out of 250. Its performance in Sind was hardly better where it won 8 seats out of 60.[24]

The Congress was said to have polled about 15,000,000 out of a total of 35,000,000 votes and was thus a minority party in India.[25] The election results confirmed that the Congress "held Hindustan only, with an unfortunate stress on the first two syllables". It had experienced difficulties in finding Muslim candidates. In the United Provinces only one Muslim was elected on the Congress ticket, and he was returned from the special University constituency under a joint electorate. The Muslim president of the United Provinces Provincial Congress Committee was defeated.[26]

Deadlock over Safeguards

In the general elections of 1937 the Congress had won clear majorities in five provinces: Madras, United Provinces, Central Provinces, Bihar and Orissa. In Bombay it was in the position of forming a coalition in co-operation with two or three pro-Congress groups. After the publication of election results arose the question of forming provincial ministries under the provisions of the 1935 Constitution. This resulted in a controversy over the

[24] *Return showing the Results on Elections in India, 1937* (November, 1937), Cmd. 5589, which gives details.

[25] A. R. Barbour, letter to *Manchester Guardian*, 23 September, 1942.

[26] P. Lacey, "Deadlock in India", *Nineteenth Century*, July 1937, pp. 105-106.

safeguards. Though this controversy was, strictly speaking, one between the Congress and the British Government, yet it had great significance for the Muslims because these safeguards mainly related to the protection of their interests.

The Instrument of Instructions issued to the Governors under the Government of India Act, 1935, placed some special responsibilities on the provincial heads. These included the "safeguarding of all the legitimate interests of minorities as requiring him to secure, in general, that those racial or religious communities for the members of which special representation is accorded in the Legislature, and those classes of the people committed to his charge who, whether on account of the smallness of their number or their lack of educational or material advantages or from any other cause, cannot as yet fully rely for their welfare upon joint political action in the Legislature, shall not suffer, or have reasonable cause to fear neglect or oppression". The Instrument also required the Governor "to secure a due proportion of appointments in Our Services to the several communities".[27] Another special responsibility of the Governor was "to safeguard the members of Our Services not only in any rights provided for them by or under the said Act or any other law for the time being in force, but also against any action which, in his judgement, would be inequitable".[28] In the executive sphere of his powers he was authorized "to differ from his Ministers if in his individual judgement their advice would have effects of the kind which it is the purpose of the said Chapter [III of Part V of the Act] to prevent, even though the advice so tendered to him is not in conflict with any specific provision of the said Act".[29] In the exercise of his powers the Governor was to be guided by the advice of his Ministers, "unless in his opinion so to be guided would be inconsistent with the fulfilment of any of the special responsibilities which are by the said Act committed to him, or with the proper discharge

[27] *Instruments of Instructions to the Governor-General and Governors* (February, 1935), Cmd. 4805, "Instrument of Instructions to the Governor", para X.

[28] *Ibid.*, para XI.

[29] *Ibid.*, para XII.

of any of the functions which he is otherwise by the said Act required to exercise on his individual judgement".[30]

These were the safeguards against which the Congress took up arms when the time came for the formation of ministries. It was in February 1937 that the results of the elections were known. In March the All India Congress Committee passed a resolution which, after repeating its opposition to the 1935 Act and its intention of combating it, authorized and permitted "the acceptance of offices in the Provinces where the Congress commands a majority in the legislature, provided the Ministerships shall not be accepted unless the leader of the Congress party in the legislature is satisfied and is able to state publicly that the Governor will not use his special powers of interference or set aside the advice of Ministers in regard to their constitutional activities".[31]

When, on 1 April, 1937, the provincial part of the 1935 Act came into operation, the Governors of Bombay, Madras, Central Provinces, United Provinces, Orissa and Bihar invited the leaders of the Congress parliamentary parties in their respective provinces to form ministries. In reply to these invitations and in pursuance of the All India Congress Committee resolution of 18 March, the Congress leaders asked the Governors to give an assurance in the following identical terms, dictated by the Working Committee: "that in regard to the constitutional activities of his ministers, His Excellency will not use his special powers of interference or set aside the advice of my Cabinet".[32] This amounted to asking the Governors to undertake not to discharge the duties placed upon them by the Instrument of Instructions, and they therefore declined to give the required assurance. They said that "it was impossible for the Governors to give any assurance as regards the use of the powers vested in them under the Act".[33]

On 8 April, the Secretary of State for India formally declared in the House of Lords that since the Governors had been specially

[30] *Ibid.*, para IX.

[31] For full text of the resolution *vide The Indian Annual Register, 1937*, vol. I, pp. 177-178.

[32] Coupland, *op. cit.*, p. 17.

[33] *The Indian Annual Register*, 1937, vol. I, p. 228.

given certain obligations under Section 52 of the Act, they "could not give, within the framework of the Constitution, the assurance which was asked of them".[34] In the House of Commons the Under-Secretary of State for India said that had the Governor given the assurances asked of him, "he would have had to divest himself of the responsibilities specially placed upon him by Parliament through the Act and the Instrument of Instructions and also in so doing to have ignored the pledges given to minorities and others".[35] On 28 April the Congress Working Committee approved the action of the Congress leaders and condemned the British official statements as "utterly inadequate to meet the requirements of Congress".[36]

The Congress demand was widely disfavoured by British commentators and organs of public opinion. It was pointed out that the Muslims had accepted the Constitution only because of the safeguards and that the demand for their abrogation would greatly add to their fear and uneasiness.[37] "No Governor could lawfully contract himself out of statutory provisions, and the Congress demand was therefore unconstitutional".[38] However, the Congress persisted in its demand, and the deadlock was not resolved till the third week of June.

On 21 June, the Viceroy, Lord Linlithgow, issued a long statement. He said that three months' experience of the operation of the Constitution had proved that assurances from the Governors were not essential to the smooth and harmonious working of the Constitution. "There is no foundation for any suggestion that a Governor is free, or is entitled, or would have the power to interfere with the day to day administration of a province outside the limited range of the responsibilities specially confined to him." A Governor's special responsibilities did not entitle him "to intervene at random in the administration of the Province". Each of the responsibilities "represents the response of Parliament to

[34] H. L. 104. 5s. Col. 881.

[35] H. C. 322. 5s. Cols. 361-363. He repeated this on 26 April; see H. C. 323. 5s. Col. 3.

[36] *Indian Annual Register*, 1937, vol. I, p. 256.

[37] *The Observer*, 11 April, 1937.

[38] A. H. Watson, *Political Advance in India* (London: 1940), pp. 8-9.

demands of substantial and legitimate interests". The Governors would "leave nothing undone to avoid and to resolve" all conflicts with their Ministers. The communities and interests which were to be protected under the safeguards were assured that no "question will rise of sacrificing their interests for political reasons". He concluded by an appeal to the Congress: "I am convinced that the shortest road to that fuller political life which many of you so greatly desire is to accept this Constitution and to work it for all it is worth ..... You may count on me, in face even of bitter disappointment, to strive untiringly towards the full and final establishment in India of the principles of parliamentary government."[39]

After this statement, on 7 July, the Congress Working Committee passed a resolution permitting the Congress to accept office.[40]

Consequently Congress ministries took office in eight provinces, and the interim Governments resigned. The question arises in what way the Governor-General's statement altered the position. *Prima facie* it seems that the Congress was assured that the Governor's special responsibilities would not be made a pretext for interfering in the working of provincial autonomy. However, the attitude of the Congress was so rigid before the Governor-General's statement that it seems unlikely that a mere reiteration of the obvious would have changed it. Subsequent history shows that in spite of loud complaints from the Muslims their interests were not safeguarded even once. There were strong rumours even when the Congress decided to accept office that secret assurances had been given to the Congress by the Governor-General. As time passed this suspicion became a certainty in the minds of the Muslims.

Provincial Governments

Before examining in detail the reaction of Muslim India to the working of Congress ministries, it is advisable to look briefly into

[39] *Indian Annual Register*, 1937, vol. I, pp. 264-270.

[40] P. Sitaramayya, *History of the Indian National Congress* (Bombay: 1948), vol. II, p. 51.

the functioning of provincial governments in different provinces between 1937 and 1943.

Bengal

In Bengal legislative assembly the party position at the time of publication of the election results was:—

Congress	54
Non-Congress Hindus	42
Muslim Independents	43
Muslim League	40
Other Muslims	38
Europeans and Anglo-Indians	31
No Party (Muslims)	2
Total	250

Of the non-Muslim League Muslims the largest compact group was the Krishak Proja Party which counted 35 members in its fold. The party position necessitated some sort of a coalition. And therefore the ministry which was formed in April, 1937 consisted of the Muslim League, the Proja Party, the Scheduled Castes, and the Independent or non-Congress caste Hindus. The leader of the coalition was Fazlul Haq, and he appointed ten ministers to his ministry, half of whom were Muslims and half Hindus.

The ministry, however, did not have smooth sailing. The Congress was bitterly opposed to the government, and was continuously trying to bring about the resignation of Sarkar, the Hindu Finance Minister, who was a prominent *ex*-Congressite. But Congress opposition had a desirable effect on the Muslims. Muslim unity inside and outside the legislature increased in direct proportion to Congress attacks on the ministry. Towards the end of 1939 Sarkar left the ministry on the ground that he was not prepared to support the official resolution which asked for Dominion Status after the war with safeguards for minorities "based on their full consent and approval". Sarkar thought that the acceptance of this resolution would be tantamount to giving the minorities a veto on India's constitutional progress.

When war was declared the ministry at once pledged its full support to war effort, and for the next two years the government did not face any trouble. It was only in 1941 that there was a threat of serious disunity within the ranks of the Muslims. Fazlul Haq had joined the newly-established Defence Council without consulting the All India Muslim League. When he, along with the Chief Ministers of the Panjab and Assam, was asked by the League to resign his seat in the Council, he protested against the instructions, then obeyed them, and finally resigned from the Muslim League Working Committee. His reluctance over the issue had, however, made him unpopular among his Muslim supporters, and Khwaja Nazimuddin and Suhrawardy led this revolt of the Leaguers against him. However, peace was temporarily restored until in November a clash became inevitable. Fazul Haq formed a Progressive Coalition Party, consisting of the Krishak Proja Party, the Congress Forward Block, and a few minor elements. The old coalition was dissolved, and a new Muslim League Party was formed under Khwaja Nazimuddin. On 17 December, 1941, Haq formed his new ministry of nine members, of whom four were Hindus and five (including the Chief Minister) Muslims. Of the four Hindus, two belonged to the Congress Forward Block, one was a Scheduled Caste, and the fourth was S. P. Mookerjee, a Militant Hindu Mahasabhite.

The new ministry enjoyed stability, but only at the cost of Muslim disunity. By negotiating with the opposition and alienating his Muslim League friends Fazlul Haq could no longer claim to enjoy the support of Muslim Bengalis. In early 1942 in a by-election a government candidate (who had the full support of Haq) was ignominiously defeated by a Muslim Leaguer, the voting being 10,843 to 840. In April, 1943 Haq resigned and was succeeded by Khwaja Nazimuddin who formed a Muslim League ministry.

Later developments in Bengal need not detain us, for by this time the centre of political gravity had shifted to the centre, and provincial politics were progressively controlled and guided by the All India Muslim League.

The Panjab

In the Panjab, where politics were complicated by the interpolation of the Sikh minority between the Hindu and Muslim communities, the party position in the legislature was:—

Congress	18
Muslim League	2
Other Muslims	4
Non-Congress Hindus and Sikhs	36
Unionists	88
No-Party	27
Total	175

Soon the Unionist Party was joined by another eight members, bringing its total strength to 96. The leader of this party, Sir Sikandar Hayat Khan, also enjoyed the support of the Khalsa Nationalist Sikhs, who numbered between 15 and 20. Sikandar formed a ministry of three Muslims, two Hindus and one Sikh. It was a strong ministry supported by a compact majority in the house. The stability of the party position was demonstrated at Sikandar's death in December, 1942 when there was a quiet changeover in Chief Ministership, Malik Khizr Hayat Khan stepping into Sikandar's shoes. This ministry continued in power till all the provincial assemblies were dissolved in 1945 with a view to holding fresh general elections.

Assam

In Assam there was a confusing multiplicity of parties:[41]

Congress	35
Independent Muslims	9
Muslim League	9
Assam Valley Muslims	5
Surma Valley Muslims	5
Krishak Proja Party	1
Independent Hindus	10
Labour	4

[41] Coupland, *op. cit.*, p. 56.

United People's Party	3
Indian Planters	2
Indian Christians	1
Independent Women	1
Europeans	9

Before the Congress decided to accept office, Sir Mohammad Saadullah formed a government of four ministers: two Muslims, one Indian Christian and one non-Congress Hindu. Even after the Congress willingness to form ministries, Saadullah's ministry continued in office for lack of unity within the Congress and the reluctance on the part of the minorities to line up with the Congress. Towards the end of 1937 the ministry was reconstituted, two new Muslim Ministers replaced the old ones and an additional minister was included from among the Scheduled Castes who brought with him five supporters in the house. In September, 1938, at last, Saadullah resigned for fear of a no-confidence motion, and the Governor invited Gopinath Bardoloi, the Congress leader, to form a government. After considerable delay Bardoloi was successful in making a ministry of seven: four Hindus and three Muslims. The difficulty of choosing Muslim ministers for a Congress Cabinet was fully illustrated by the political affiliations of these three Muslims. One was the only Muslim Congressite in the house, the second was a deserter from the Assam United Party and the third was one of the two ministers discarded by Saadullah at the end of 1937.

Though this ministry continued till the end of 1939, yet it was far from stable. The opposition consisted of the solid Muslim block of the Assam United Party which could muster 47 members. It must be remembered that the Bardoloi ministry was a coalition one and that is why when, in company with other Congress ministries, the Assam ministry resigned, it was possible for Saadullah to return as Chief Minister at the head of a nine-man Cabinet. But his government fell towards the end of 1941 when, because of the refusal of any Congress leader to form an alternative government which would fully participate in war effort, the Governor took over the administration of the province in his own hands under Section 93 of the Government of India Act,

1935. However, there was another change in 1942 and Saadullah returned to power on 25 August of that year.

Sind

The elections produced the following party position in a house of 60:—

Sind United Party (Muslim)	18
Sind Hindu Sabha	11
Independent Muslims	9
Congress	8
Sind Muslim Party	4
Sind Azad Party (pro-Congress)	3
Independent Hindus	2
Labour Independent	1
No-party	4

Sir Ghulam Husain Hidayatullah, the leader of the Sind United Party, formed a cabinet of three members with Hindu help. But in March, 1938 the budget received an adverse vote and the ministry resigned. Now Allah Baksh, the leader of the dissident Muslims, became the Chief Minister. But he could command the support of only 22 members and therefore decided to follow the Congress programme in order to get the votes of the eight Congress members. After a few months the ministry lost stability. The Government proposed an increase in land revenue to pay for the charges incurred in the execution of the Lloyd barrage scheme. The Congress objected to this and, in spite of Vallabbhai Patel's efforts at conciliation, maintained its objection. In the meantime the Muslim League was exerting pressure on Allah Bakhsh to enter its fold. However, the ministry was not only able to weather the storm but also to receive a valuable recruit in Hidayatullah, who left the Muslim League to join the Cabinet. The vastly strengthened ministry continued in office till the early part of 1940.

Allah Bakhsh's successor was Mir Bande Ali Khan, the leader of the new Nationalist Party, an odd combination of the Muslim League and the Hindu Independents. The Congress supported the

Cabinet in the same indirect way in which it had supported the previous regime. Bande Ali Khan thus carried on until a split between him and Allah Bakhsh caused the downfall of the Cabinet in March, 1941. Allah Bakhsh was recalled to power and formed a ministry which, for the first time since 1937, contained no representative of the Muslim League. But it was not destined to last long, and in October, 1942, Allah Bakhsh was dismissed by the Governor of Sind on the ground that his renunciation of titles and honours was inconsistent with his oath of allegiance.[42] Hidayatullah now succeeded Allah Bakhsh and formed a Cabinet consisting of two Muslim Leaguers, one Independent Muslim and two Hindus. On the following day the Chief Minister joined the Muslim League because of Congress hostility.[43]

Orissa

Orissa may be treated more briefly. In July, 1937 the Congress formed a ministry under Biswanath Das and continued to rule the province till October, 1939. On its resignation the province was administered by the Governor, but the resignation of the Congress ministry had been resented much more in Orissa than in other Hindu provinces. Consequently towards the end of 1941 some Congress M.L.As., headed by Godavari Misra, revolted against the High Command and showed their anxiety to form a government in co-operation with the other Congress groups. They lent support to the Maharaja of Parlakiwedi, who had formed the short-lived care-taker government of April-July, 1937, and it was declared that the Parlakiwedi-Misra coalition could command the support of about 36 members in a house of 60. On 23 November, 1941, therefore, Parlakiwedi formed his coalition ministry of three; the Maharaja himself, Misra and one Muslim. This ministry continued to rule the province in face of bitter attacks from the Congress High Command.

Congress Provinces

The six Congress provinces can be treated together, for there ministry formation was uniform in character because the Cong-

[42] *Civil & Military Gazette*, 11 October, 1942.
[43] *Ibid.*, 24 October, 1942.

ress High Command exercised a firm control over all provincial party politics.

In Madras, where the Congress had captured 74 per cent seats, Rajagopalacharia formed a government. In Bombay the Congress had captured only 48 per cent seats, but it was able to form a ministry under B. G. Kher with the help of a few like-minded minor groups. In the United Provinces the Congress had gained 59 per cent of the seats, and G. B. Pant became the Chief Minister. In Bihar, with a 62 per cent majority, Srikrishna Sinha formed the government. In Central Provinces, where the Congress had 63 per cent seats, Khare and later Shukla were the Chief Ministers. In the North-West Frontier Province only 38 per cent seats went to the Congress, but Khan Sahib succeeded in forming a ministry.

All these ministries were purely Congress governments. No coalitions were allowed by the Congress High Command. And all these ministries resigned at the outbreak of war.

CHAPTER 5

Congress Rule in the Provinces

A crucial period

The period of less than two and a half years, from July, 1937 to October, 1939, when Congress ministries ruled eight of the eleven Indian provinces, was extremely crucial in the history of Hindu-Muslim relations. The reins of power came into the hands of the Hindus. How they used this opportunity and what effect it had on the future course of Indian political and constitutional developments is the theme of this chapter.

Refusal to form coalitions

Immediately after the 1937 elections Jinnah had given a statement which contained this passage: "The Constitution and policy of the League do not prevent us from co-operation with others. On the contrary it is the part and parcel of our basic principle that we are free and ready to co-operate with any group or party from the very inception, outside or inside the legislature, if the basic principles are determined by common consent."[1] Willingness to co-operate with the Congress could hardly be phrased

[1] Quoted in Abdul Wahid Khan, *India Wins Freedom: The Other Side.* (Karachi: 1961), pp. 73-74.

in clearer terms. Moreover, as we have seen, the manifestos of the Congress and the Muslim League had much in common and all impartial observers of the contemporary scene assumed with considerable justification that coalition ministries would be installed in due course. Election results had strengthened this hope, for Congress had not bothered to contest more than a small fraction of Muslim seats and not won even a majority of that. Therefore, everyone, including some Congressmen, confidently looked forward to the formation of Congress-League coalition ministries in all Hindu majority provinces. The refusal of the Congress to cooperate with the League belied these hopes.

What happened in the United Provinces best illustrates the policy of the Congress. The Muslims constituted only 16 per cent of the province's population, but sometimes percentages are misleading. The Muslim minority still cherished the memory of a glorious past and was proud of its traditions and culture. The influence of the Muslim University at Aligarh was manifest in the desire to have a share in political responsibility and power. In the provincial legislature Muslims had 64 seats, which the election distributed as follows:—

Muslim League	26
Independent Muslims	28
National Agricultural Party	9
Congress Muslim	1

In most constituencies captured by the Muslim League its majority was substantial; in several cases it was overwhelming.[2]

The elections in the provinces had been fought in an atmosphere of amiable neutrality, if not of co-operation. It was understood that the Muslims expected to be given two places in a coalition Cabinet.[3] Lengthy discussions took place between the Muslim League and Congress leaders. At last Abul Kalam Azad, a member of the Congress High Command, communicated to Chaudhri Khaliquzzaman, the leader of the Muslim League, the following

[2] Comd. 5589, p. 62-65.

[3] Coupland, *op. cit.*, p. 111.

terms on which the Congress was prepared to let the Muslim League enter the provincial government:

"The Moslem League group in the United Provinces Legislature shall cease to function as a separate group.

"The existing members of the Moslem League Party in the United Provinces Assembly shall become part of the Congress Party, and will fully share with other members of the Party their privileges and obligations as members of the Congress Party. They will similarly be empowered to participate in the deliberations of the Party. They will likewise be subject to the control and discipline of the Congress Party in an equal measure with other members, and the decisions of the Congress Party as regards work in the legislature and general behaviour of its members shall be binding on them. All matters shall be decided by a majority vote of the Party; each individual member having one vote.

"The policy laid down by the Congress Working Committee for their members in the legislatures along with the instructions issued by the competent Congress bodies pertaining to their work in such legislatures shall be faithfully carried out by all members of the Congress Party including these members.

"The Moslem League Parliamentary Board in the United Provinces will be dissolved, and no candidates will thereafter be set up by the said Board at any by-election. All members of the Party shall actively support any candidate that may be nominated by the Congress to fill up a vacancy occurring hereafter.

"All members of the Congress Party shall abide by the rules of the Congress Party and offer their full and genuine co-operation with a view to promoting the interests and prestige of the Congress.

"In the event of the Congress Party deciding on resignation from the Ministry or from the legislature the members of the abovementioned group will also be bound by that decision."[4]

When Azad sent these terms to the press he added a short note which said that "it was hoped that, if these terms were agreed

[4] *Ibid.*, p. 111.

to and the Muslim League group of members joined the Congress Party as full members, that group would cease to exist as a separate group. In the formation of the Provincial Cabinet it was considered proper that they should have representatives."[5]

No political party with an iota of self-respect could possibly accept these terms and hope to live afterwards. The Muslim League, therefore, rejected these terms and a purely Congress ministry was formed in the province. Similarly, no co-operation was forthcoming in other Hindu provinces, with the result that the Muslim League was deliberately kept out of power by the Congress in no less than eight of the eleven provinces in British India. This, as we shall see later, was a shortsighted policy which went a long way in not only alienating Muslim India but also convincing the British Government of the irreconcilability of the Hindus with the Muslims.

What is the explanation of this unwise arrogance? All contemporary accounts lead to but one conclusion: that the Congress seriously underrated the strength of Muslim nationalism. Instead of making a genuine effort at reaching an agreement with the Muslims, the Congress "saw its victory as an opportunity to strengthen its position as the sole and exclusive embodiment of Indian nationalism".[6] On 12 May, 1937, Jawaharlal Nehru told Chaudhri Khaliquzzaman that the former believed that the Hindu-Muslim question in India "was confined to a few Muslim intellectuals, landlords and capitalists who were cooking up a problem which did not in fact exist in the mind of the masses. He ridiculed the idea of Muslims having any separate organization carried on within the precincts of the Legislature".[7] Nehru's mistake lay in his attempt at killing Muslim nationalism with ridicule. Later events were to show the folly of this attitude, for it created nothing but bitterness and bad blood.

[5] *Ibid.*, p. 111.

[6] E.W.R. Lumby, *The Transfer of Power in India, 1945-1947* (London: 1954), p. 21. A Hindu writer says, "But flushed with pride at its overwhelming success at the polls, the Congress lost its head and adopted imperious attitude not only to(wards) the Government but also to(wards) other parties." S. K. Majumdar, *Jinnah and Gandhi, op. cit.*, p. 163.

[7] Khaliquzzaman, Chaudhri, *Pathway to Pakistan* (Lahore: 1961), p. 157.

Even such a biased commentator as the Marquess of Lothian found, during his Indian visit in the winter of 1937-38, that Muslims "were profoundly disturbed from one end of India to another". The rise of Congress to power "made them feel for the first time what it was to be in a minority". They had become "acutely aware of the rising tide of Hindu rule", and that "produced a consolidation of political opinion and political organization in India".[8]

Muslim reaction to Congress refusal to co-operate with the League may be gauged from Jinnah's presidential address at the Lucknow Session of the Muslim League in October 1937. He complained that wherever the Congress was in a majority and wherever it suited it, it refused to co-operate with the Muslim League Parties and instead "demanded unconditional surrender and signing of their pledges".[9] The Congress "demand was insistent: abjure your party and forswear your policy and programme and liquidate Muslim League".[10] He correctly read the Congress mind, and declared, "On the very threshold of what little power and responsibility is given, the majority community have clearly shown their hand that Hindustan is for the Hindus; only the Congress masquerades under the name of nationalism, whereas the Hindu Mahasabha does not mince words." He foresaw that the "result of the present Congress Party policy will be, I venture to say, class bitterness, communal war and strengthening of the imperialistic hold as a consequence".[11] He felt that "a fearful reaction will set in when the Congress has created more and more divisions among Indians themselves, and made the united front (against British imperialism) impossible".[12] Coming to the chances of agreement with the Congress, he regretted that "no settlement with majority community" was possible, as "no Hindu leader speaking with any authority shows any concern or genuine desire for it". "Honourable settlement can only be achiev-

[8] Lothian, in *Asiatic Review*, April, 1938, p. 274.

[9] Jamil-ud-Din Ahmad (ed.), *Some Recent Speeches and Writings of Mr. Jinnah* (Lahore: 1952 ed.), vol. I, p. 30.

[10] *Ibid.*, p. 30.

[11] *Ibid.*, p. 31.

[12] *Ibid.*, p. 31.

ed between equals, and unless the two parties learn to respect and fear each other, there is no solid ground for any settlement."[13] This was Jinnah's answer to Nehru's ridicule. Towards the end of his address he once again offered his hand of friendship to the Congress in unequivocal terms, "we shall not hesitate to co-operate with any party or group in any practical and constructive programme for the welfare and advance of the provinces or the country".[14] This was his answer to the Congress rebuff. And still the British and Indian authors have created the myth that it was Jinnah who was stubborn.

Professor Coupland, the Oxford historian, has summed up the impact of Congress attitude by saying that Azad's terms of "coalition" showed "that in the first action taken by the Congress leaders under the new Constitution, in their first move in the field of parliamentary politics, there was nothing of that spirit of compromise without which parliamentary government cannot be expected to work successfully or long. The logic of 'majority rule' was to be strictly enforced ..... If this ultimatum were accepted, it was frankly hoped, and with good reason, that the League would cease to exist."[15] The Congress rebuff "marked the beginning of a reaction among the bulk of politically minded Muslims against the idea of a 'Congress Majority' which was presently to make the League a more powerful force throughout Muslim India than it had ever been before".[16]

The Muslim mass-contact campaign

Along with its refusal to share power with the Muslim League the Congress pursued an anti-Muslim League policy in another direction, as well. It was not enough to keep the Muslim League out of power. Its power among the people should be weakened and finally broken. The Congress must appeal to the Muslims to forsake the League and to come over to the Congress. Thus began the ambitious but short-lived campaign of directly contacting the Muslim masses with a view to winning them over to the Congress.

13 *Ibid.*, p. 33.
14 *Ibid.*, p. 40.
15 Coupland, *op. cit.*, p. 112.
16 *Ibid.*, p. 112.

The philosophy behind this movement can best be studied in Jawaharlal Nehru's statement of 27 April, 1937, which summarized the Congress arguments for such a campaign. He began by asserting that the "Muslim masses inevitably think more and more in terms of common economic problems and common burdens together with others". He bemoaned that "even Congressmen sometimes fail to appreciate this and talk in terms of pacts and compromises with Muslims or other religious groups". Power was now crystallized in "two opposing ranks and we have in India today two dominating powers—Congress India, representing Indian nationalism, and British Imperialism". Other parties "do not count". The ministries were quite safe in the hands of the Congress. "Only a lunatic can think that the Muslims can be dominated and coerced by any religious majority in India." To think of communal groups functioning as political groups "is to think in terms of medievalism". Then came the admission that "it is true that the Muslim masses have been largely neglected by us in recent years". The Congress now wanted "to repair that omission" and to carry its message to the Muslims. Those who talked of the Congress entering into a pact or alliance with Muslims "fail to understand the Congress". He was not prepared to countenance even "semi-communal nationalist parties", like a "Muslim Congress Party": the Congress experience of the Nationalist Muslim Party had not been a happy one. Communal issues were "petty and unreal".[17]

Muslim reaction to this campaign was swift and unmistakable. A fortnight before Nehru published his statement, Maulvi Abdul Hakim Khan, the president of the Punjab Moderate Muslim Association, had sharply criticized the Congress campaign, called it "conversion of Muslims" and a "threat" and warned his co-religionists against its implications and dangers.[18] A "Nationalist Musalman" analyzed the motives of, and prospects for, the Congress strategy in early May. The Congress, he said, had realized that in spite of its success in the provincial elections, it was far from representing the people of India as a whole. On the

[17] *Civil and Military Gazette*, 28 April, 1937.

[18] See his letter to *Civil and Military Gazette*, 13 April, 1937.

other hand, in the light of past experience, "we Muslims feel less inclined than ever to tie ourselves even to what has been called India's biggest political organization". The Muslim notion of patriotism was not consistent with the "narrow connotation" which the Congress put upon it. The writer challenged Nehru to disclaim Pandit Madan Mohan Malaviya as a Congressman before asking the Muslims to shed their "reactionary" leaders.[19]

The authoritative reply to the Congress campaign came from Jinnah. In his presidential address to the Lucknow Session of the Muslim League in October, 1937, he said, "The Congress attempt under the guise of establishing mass contact with the Musalmans is calculated to divide and weaken and break the Musalmans, and is an effort to detach them from their accredited leaders. It is a dangerous move, and it cannot mislead anyone. All such manoeuvres will not succeed, notwithstanding the various blandishments, catchwords and slogans."[20] At the Patna Session in December 1938 he returned to this issue and pointed out that the Assembly by-elections in the United Provinces, which was the centre of the Congress Muslim mass contact campaign, had conclusively proved that the Congress movement had met the fate it deserved. Not only was the Congress unsuccessful in recruiting the followers of the Muslim League to its fold, but even Muslim Congressmen were forsaking their party in favour of the League. This was illustrated by the Congress refusal to set up their own candidate in the by-election to the central legislature caused by the death of Maulana Shaukat Ali.[21]

The Congress campaign was, by the very nature of contemporary political circumstances, doomed to failure. The more aggressive became the tone of the Congress the greater grew the confidence of the Muslim League. The League countered the Congress campaign with an equally spirited movement against Congress raj. And the latter made more headway than the former. The Congress

[19] A Nationalist Mussalman, "Congress strategy to snare Muslims", *Civil & Military Gazette*, 4 May, 1937. For another Muslim analysis of the problem see the statement of Haji Rahim Bakhsh (formerly Working Secretary of the All India Muslim Conference), dated 4 May, *Civil & Military Gazette*, 5 May, 1937.

[20] Jamil-ud-Din Ahmad, *op. cit.*, pp. 35-36.

[21] *Ibid.*, p. 89.

had grossly under-estimated the strength of Muslim feeling. To the Congress argument that "communalism" was a spent force and an undesirable phenomenon, the Muslims replied by narrating their hardships under the "secular" rule of the Congress. When the Congress talked of its pledge to secure all legitimate rights to the minorities, the Muslims pointed to the futility of constitutional safeguards. The stronger grew the Congress pretensions to democracy and freedom the greater became Muslim apprehensions of Hindu domination. The intelligentsia could easily assess the consequences of Hindu raj. Even in the villages it was not found difficult to point out the dangers that lay ahead for an unassimilated minority if an intolerant majority came to possess power.

Dictatorship of the Congress

The outstanding constitutional feature of the Congress provincial governments of 1937-39 was that they did not conform to the kind of parliamentary government envisaged in the 1935 Act. The Congress provinces were not autonomous in the sense in which the 1935 Constitution wanted them to be.

Immediately after the 1937 elections, the Congress Working Committee created, in March, a Parliamentary Sub-Committee, consisting of Abul Kalam Azad, Rajendra Prasad and Vallabhbhai Patel. It was required "to be in close and constant touch with the work of the Congress parties in all the legislatures in the provinces, to advise them in all their activities, and to take necessary action in any case of emergency". The Sub-Committee began by distributing work among its three members on regional and territorial basis. Azad was placed in charge of Bengal, United Provinces, the Panjab and the North-West Frontier Province—a Muslim to deal with Muslim provinces. Rajendra Prasad was allotted Bihar, Orissa and Assam. Patel got Bombay, Madras. the Central Provinces and Sind. In October, 1938 the Working Committee enhanced the powers of the Sub-Committee by laying down that the latter could act without any reference from the Provincial Parliamentary Party or the Provincial Congress Committee.[22]

[22] Coupland, *op. cit.*, p. 90.

The Congress ministries should have been responsible to their respective provincial legislatures and Congress legislators should have been accountable to their constituents. But in fact both the ministers and the members of the assemblies were answerable to the Congress Working Committee and the Parliamentary Sub-Committee—in short, to the Congress "High Command". The High Command made and unmade ministries. It appointed and dismissed ministers. It controlled the policies pursued by the provincial Cabinets. It issued instructions to the Chief Ministers. And later when the Congress ministries resigned *en bloc* at the outbreak of war, the directives to lay down the reins of power were issued by the High Command. And no secret was made of it. Pandit Nehru defended, or rather explained, for in his opinion it needed no defence, this practice in November 1937 with curious logic, "It is to the Congress as a whole that the electorate gave allegiance, and it is the Congress that is responsible to the electorate. The Ministers and the Congress Parties in the legislatures are responsible to the Congress and only through it to the electorates."[23] Similarly, some Congress ministers in the Central Provinces declared in the middle of 1938 that "the resignation of a minister in a Congress Government was not an individual matter and, *whatever the constitutional position might be, their allegiance was to the Congress*".[24]

The result was that the Congress Cabinets were no more than servile servants, acting on the commands of their masters, who were constitutionally not responsible to any one. Most of India was in the anomalous position of having in Gandhi, what Sir Albion Banerji called, a "dictator by proxy". [25] He did not directly rule. He had no official position. He occupied no post. But he dictated the policy of the Congress and it was accepted, almost as a religious obligation. There was no trace of democracy in Congress methods. Congress was, in fact, "an oligarchy, dominated by Mr.

[23] Jawaharlal Nehru, *The Unity of India*, *op. cit.*, p. 82.

[24] Quoted in *ibid.*, p. 100 fn. *Italics* not in the original.

[25] A. R. Banerji, "Dictatorship by Proxy in India", *Asiatic Review*, July 1938, pp. 565-569. *Cf.* S. K. Majumdar, *op. cit.*, "The Congress High Command reduced the provincial autonomy and the idea of responsible government in the provinces to a mere sham ...", p. 167.

Gandhi, at whose bidding ministries are made and unmade irrespective of the wishes of the elected representatives of the people".[26]

There is no doubt that "the best interests of the country were sacrificed upon the altar of party politics". The Congress leaders "placed their actions and their consciences at the disposition of an irresponsible central caucus, regardless of their duty to their own constituents, to the Provinces over which they were called upon to rule, to the elected chambers whose confidence was their own claim to office". By so doing they gave to India a lesson "of what Swaraj, as interpreted by the Congress, means".[27] This was a dictatorship which "vitiated responsible party government, deprived India of half the invaluable experience that she was gaining in the responsibilities of her own government, and convinced the Muslims and other minorities that weightages in the legislature and like safeguards were valueless, since all was subordinated to an irresponsible caucus at Wardha".[28] This policy was "far more analogous to the concurrent Nazi regime in Europe than to any form of democracy".[29]

What were the results of this policy? In the first place, it weakened the capacity of responsible government to fulfil its primary purpose. In a democracy it is public opinion which rules. But in the Congress provinces, once the elections were over, public opinion was replaced by the fiat of the Congress High Command. Congress voters had expressed a wish to be ruled by their Congress representatives, not by an Olympian Working Committee. If the 1935 Act was meant to train the Indians in the art of self-government the Congress made this aim impossible by interposing Gandhi and the Working Committee between the electorate and the legislative decision-making.

In the second place, provincial autonomy was effectively nullified by the rule of the High Command. The federal principle

[26] Sir William Barton, "Indian Muslims Reject Hindu Tyranny", *National Review*, June, 1939.

[27] L. F. Rushbrook Williams, "Reflections on Indian Discontent", *Nineteenth Century and After*, March, 1941.

[28] H. V. Hodson, "Responsibilities in India", *Foreign Affairs*, July, 1943.

[29] C. B. Birdwood, *A Continent Experiments*, *op. cit.*, p. 18.

on which the Act of 1935 was based was thus thrown overboard. And with this principle went the acquiescence of the Muslims, the Princes and other non-Congress electorates who had agreed to work the Constitution in the belief that only a federation was expedient under the current political circumstances. The ideal of a federation embracing all India receded into oblivion with the destruction of provincial autonomy. Thus indirectly but irretrievably the Congress drove a united India out of the bounds of probability.

In the third place, the totalitarian principles of the Congress made it extremely reluctant to negotiate on equal terms with any other party. Totalitarianism produced arrogance. And arrogance is the exact opposite of that give and take which is the essence of politics. In coming years the Congress was to spurn all efforts at compromise and to answer every move towards an *entente* with the rigid declaration that it alone spoke for Indian nationalism. Indeed it claimed to be the Indian nation.

Congress rule and the Muslims

For the Muslims of the Hindu-majority provinces the rule of the Congress ministries from July 1937 to October 1939 was nothing short of a nightmare. The Congress refusal to form coalition ministries in co-operation with the Muslim League had already given a note of warning to the Muslims; but what followed during the actual working of provincial autonomy went beyond their worst fears.

On 20 March, 1938, the Council of the All India Muslim League passed a resolution regarding the complaints reaching the League office of the "hardships, ill treatment and injustice that is meted out to the Muslims in various Congress Government Provinces and particularly to those who are workers and members of the Muslim League". A special committee of eight members was appointed "to collect all information, make all necessary inquiries, and take such steps as may be considered proper and to submit their report to the President and the Council from time to

time".[30] This Committee, under the presidentship of Raja Syed Muhammad Mehdi of Pirpur, submitted its report[31] on 15 November 1938. This well-written and balanced statement included a summary account of events in all the Congress provinces except the North-West Frontier Province. The information supplied was based on personal inquiries made by the Committee. A companion volume to this was the Shareef Report, published in March 1939, which mainly consisted of a full description of the atrocities perpetrated by Hindus at various places in Bihar.[32] Still another indictment of the Congress Governments was prepared and published by Fazlul Haq in December 1939.[33]

These three documents, apart from the files of Muslim newspapers of the period, supply the basic material of the Muslim case against the undemocratic and anti-Muslim character of fthe Congress provincial ministries. Since the nature of the Congress rule later popularized the idea of Pakistan and went a long way in alienating the Muslims from the ideal of a United India, it is necessary to give a few details and to examine the revelations made by these inquiry reports.

The *Pirpur Report* began with the declaration that "no one who is familiar with Indian affairs would deny the fact that the Congress has failed to inspire confidence in the minorities and has failed to carry them with it in spite of its oft-repeated resolution guaranteeing religious and cultural liberty to the various communities because its actions are not in conformity with its words". The Congress continued to be a Hindu organization and "intoxicated with power" it followed a "close-door policy" by refusing to form coalitions with any other party in the legisla-

30 Resolution No. 5 of 1938. *Resolutions of the All India Muslim League from October, 1937 to December, 1938*, published by Honorary Secretary, All India Muslim League, (Delhi, n.d.), pp. 12-13.

31 Full title: *Report of the Inquiry Committee appointed by the Council of the All India Muslim League to inquire into Muslim Grievances in Congress Provinces* (Lucknow: 1938).

32 *Report of the Inquiry Committee appointed by the Working Committee of the Bihar Provincial Muslim League to inquire into some grievances of Muslims in Bihar* (Patna: 1939).

33 *Muslim Sufferings under Congress Rule* (Calcutta: 1939).

ture. The Congress's conception of nationalism was to work for the establishment of a state controlled entirely by the majority community. The Muslims "think that no tyranny can be as great as the tyranny of the majority and they believe that only that state can be stable which gives equal rights and equal opportunities to all communities no matter how small". The report emphasized that it attached "great importance to this principle, which alone can safeguard the rights of the Muslims and other minorities". The aim of the Muslim League was not to wage war against other communities but to organize the Muslims and to find a solution of the political and economic problems facing India as a whole. It was "to the advantage of the Muslims to have a truly national and liberal programme so that others may co-operate with them". The "just and legitimate demands" of the Muslims were ignored. "Contemptuous offers" were made to the leaders of the Muslim League. They were asked to "liquidate the Muslim League Parliamentary Board, disband the League parties in the Legislatures and to sign unconditionally the Congress pledge". To the Muslims "such a course meant the denial of their right to organize themselves in order to maintain their separate identity and preserve their culture, and a complete surrender to the party which, on its own admission, was mostly composed of Hindus and which had failed to win the confidence of the Muslim voters in the general election". Rival Muslim organizations were "started and spoon-fed" by the Congress. The true representatives of the Muslims were disregarded. A virulent campaign of vilification was started against the League and its leaders with the help of a few Muslims who signed the Congress pledge. By its Muslim mass contact movement the Congress was trying to "destroy Muslim solidarity and create disruption in the community". "A number of Muslim workers have been employed to fight their co-religionists by a political party which is predominantly Hindu." When the Congress won the 1937 elections in several provinces everyone believed that a new era would set in, and it was generally taken for granted by progressive Muslims that the gulf that had existed so long between the various communities would be bridged once for all, that the differences would disappear and that all progressive national elements, whose political ideas were similar, would be brought to-

gether for the service of India and would work a common programme for the freedom of the people. But in its place came the Muslim mass contact campaign, in which the Congress used *Maulvis* for creating splits among Muslims. The Muslims naturally concluded from this that the Congress wanted to lure them into its fold by a policy of "divide and rule". It was obvious that the Congress wished to avoid a settlement with the Muslim community "on the real issues".[34]

The *Shareef Report* confined its field of inquiry to Bihar. It was not as restrained in its language as the *Pirpur Report*, and contained lurid accounts of Congress and Hindu high-handedness. It depicted the reign of terror let loose upon the Muslims of the province not only by the ministry and the local Congress leaders, but also by the administrative and judicial services.[35]

Fazlul Haq's *Muslim Sufferings under Congress Rule* was a reprint in pamphlet form of a statement issued by him soon after the resignation of the Congress ministries. The Congress, said the statement, had set the stage "for the blatant arrogance of the militant Hindu to burst the bounds of restraint which non-partisan Governments had hitherto imposed". The Congress began by imposing their will on the Muslim minorities. What was this will? "Mother cow must be protected . . . Muslims must not be allowed to eat beef . . . The religion of Muslims must be humbled, because was not this the land of the Hindus? Hence the forbidding of *azan*, attacks on worshippers in mosques, the insistence on the triumphant passage of noisy processions before mosques at prayer times." "Was it strange, then, that tragedy followed tragedy?" After this introduction followed a description of 72 incidents in Bihar, 33 in the United Provinces and a more brief account of events in the Central Provinces. Muslim grievances were broadly enumerated. The use of beef by Muslims was prohibited in areas where it had the sanction of tradition and custom. If a Muslim had as much as killed a cow for sacrifice, Muslims were killed, their houses were burnt and their women

[34] *Pirpur Report*, *op. cit.*, pp. 1-5, 7-16.

[35] Coupland, *op. cit.*, p. 186, gives a summary of the Report and its findings.

and children assaulted. Muslim butchers were assaulted. Pigs were thrown into mosques. The *azan* was denounced and interrupted. Muslim shops and other business establishments were boycotted. Muslims were prevented from using the village wells. Official intervention was always biased in favour of the Hindus. On many occasions peace was restored by means of a so-called "compromise" which was in fact a pro-Hindu settlement "imposed by the weight of authority on a helpless Muslim minority".[36]

Grievances listed in these three reports did not exhaust the Muslim indictment of Hindu rule. The intelligentsia among the Muslims was equally perturbed by the plight of Muslim education in India as a whole and particularly in the Congress provinces. The Muslims had fallen behind in education during British rule, and they realized the severe handicap under which they were working. But certain aspects of Congress policy in the field of education now alarmed them. The All India Muslim Educational Conference, at its fifty-second annual Session held at Calcutta at the end of 1938, found it necessary to appoint a Committee under the chairmanship of Nawab Kamal Yar Jang Bahadur. Its terms of reference included a thorough survey of the educational system in India and the framing of a scheme of Muslim education with a view to "the preservation of the distinctive features of their culture and social order". A Sub-Committee headed by Sir Azizul Haq, Speaker of the Bengal Legislative Assembly and Vice-Chancellor of the University of Calcutta, toured India for gathering relevant information. The final Reprot was published in the Spring of 1942.

A detailed treatment of this Report[37] falls outside the scope of this book, but it is relevant to look at its findings in relation to the attitude of the Congress Governments towards education in general and Muslim education in particular. The *Report* strongly criticized the Wardha Scheme of education which was implemented in its worst form in the *Vidya Mandirs* of the Central Provinces. It is true that the author of this Scheme was a Congress

[36] Coupland, *op. cit.*, pp. 186-187. *Azan*=adhan=Muslim call to prayers.
[37] *Kamal Yar Jang Education Committee Report* (Calcutta: 1942).

Muslim, Zakir Husain, but the Muslims of the provinces had opposed it and their protests had been ignored. When a Congress bill for the adoption and implementation of the Scheme was introduced in the Central Provinces Assembly every Muslim member in the House opposed it, so did some Hindus, including Dr. Khare. The Muslim complaint was that it was intended to wean the Muslims away from their traditions, culture and religion. Its implementation was even worse than the Scheme itself. The schools were to be managed by committees chosen through joint electorates. No provision was made for Muslim schools. No effort was made to train Urdu-speaking teachers. Small children were made to stand with folded hands in front of Gandhi's portrait in postures of Hindu worship and sing hymns in his praise. The parent plan, the Wardha Scheme, was a creation of Gandhi's mind. It inculcated the Hindu doctrine of non-violence and sought to create in the young minds respect for Hindu legendary heroes and mythical religious personages. Teaching of religion was left out of the Scheme. Muslim fears were coming true, for an education completely divorced from their traditions, culture and religion would subvert all that they held dear.[38]

Besides the fundamental principles of the Congress educational policy, some of its details also caused considerable concern in Muslim ranks. One example will illustrate this. In Bombay new series of primers were introduced as text books for schools. Local educational authorities could prescribe books only from among those primers, which had been prepared under the supervision of Zakir Husain, the author of the Wardha Scheme. Muslims objected to this on the ground that the books glorified Hindu traditions and observances and used Hinduized vocabulary. The Bombay Provincial Muslim League was so agitated that it passed a resolution, characterising the introduction of these primers as "a subtle move on the part of the Congress to destroy Muslim culture and civilization in India by bringing up the next generation of Muslims in total ignorance of it, and by saturating the minds of Muslim children in their impressionable age with notions of the Hindu culture and civilization". In the Bombay

[38] See Coupland, *op. cit.*, pp. 189-191.

Municipal Corporation the Muslim resolution asking for the withdrawal of the primers was defeated: all the ten Muslim League members staged a walk out. After the resignation of the Congress ministry the primers were again examined by the Urdu Text-Book Committee, which now reported that they were not suitable for use; and consequently they were removed from the approved list.[39]

Throughout this period the Muslim League was, through the resolutions of its Council and Working Committee, drawing attention to the anti-Muslim policies of the Congress and appealing, on the one hand, to the Muslim masses to keep calm and composed, and, on the other, to the Congress to change its biassed outlook. It condemned the Congress policy of "foisting *Bande Matram* as the national anthem upon the country in callous disregard of the feelings of Muslims".[40] It deprecated and protested against the formation of Congress ministries "in flagrant violation of the letter and the spirit of the Government of India Act of 1935 and instrument of instructions"; it condemned the Governors "for their failure to enforce the special powers entrusted to them for the safeguard of the interests of the Musalmans and other important minorities".[41] It feared that the attempt to replace Urdu by Hindi might "adversely affect the growth of comradeshipbetween Hindus and Muslims".[42] It "viewed with alarm" the large number of communal riots in the United Provinces, Bihar, the Central Provinces and Bombay, and believed that the Congress Governments had "signally failed to discharge their primary duty of protecting [the Muslims in] the Muslim minority provinces".[43] It threatened to resort to "direct action" as a result of the atrocities committed on the Muslims of Bihar, the United Provinces and the Central Provinces.[44] It enumerated its objections to the Wardha

[39] For this controversy see *The Times of India*, 11 and 26 July and 14 December, 1939.

[40] Resolution No. 6 of 1937. *Resolutions of the All India Muslim League from October, 1937 to December, 1938* published by the Honorary Secretary, All India Muslim League (Delhi: n.d.), p. 4. *Bande Matram* was idolatrous and Press-Muslim in origin.

[41] Resolution No. 7, *ibid.*, p. 4.

[42] Resolution No. 11, *ibid.*, p. 6.

[43] Resolution No. 3 of 1938, *ibid.*, p. 20.

[44] Resolution No. 4, *ibid.*, pp. 56-57.

Scheme of basic education: it would destroy Muslim culture and secure the domination of Hindu culture, it sought to superimpose upon education the ideology of the Hindu community, it aimed at instilling the political ideals of one party, the Congress, into the minds of the children, it ignored religious instruction, it encouraged highly Sanskritised Hindi at the cost of Urdu, and it led to the introduction of highly objectionable text books.[45]

Simultaneously the Quaid-i-Azam also continued to comment upon the Congress policy and its reactions among the Muslims. Speaking at an Osmania University dinner on 28 September, 1938, he said that he had always believed in a Hindu-Muslim pact, but "such a pact can only be an honourable one and not a pact which will mean the destruction of one and the survival of the other".[46] In the following month he accused the Congress of inability to face realities and of aiming to revive "Hindu domination and supremacy" over the entire subcontinent.[47] In an interview to the *Manchester Guardian* he declared that any observer of the Indian scene between 1937 and 1939 would see that "the sole aim and object of the Congress is to annihilate every other organization in the country and to set itself up as a fascist and authoritarian organization of the worst type". It was impossible to work a parliamentary government in India: democracy could only mean Hindu raj. "This is a position to which Muslims will never submit."[48]

There is overwhelming evidence from impartial quarters in support of the anti-Muslim conduct of the Congress ministries and consequent Muslim alarm at the prospects of a majority rule in India. In the United Provinces, the provincial government had directed the district administrations to "consult local Congressmen in regard to administrative matters".[49] The Congress rule taught the minorities that "administrative, or even constitutional, safeguards are no effective protection against an attitude of mind

[45] Resolution No. 16 of 1939. *Resolutions of the All India Muslim League from December, 1938 to March, 1940*, published by the Honorary Secretary, All India Muslim League, (Delhi, n.d.), pp. 14-15.

[46] Jamil-ud-Din Ahmad, *op. cit.*, p. 96.

[47] *Ibid.*, p. 98.

[48] *Ibid.*, p. 99.

[49] Sir William Barton, in *Asiatic Review*, October, 1941, p. 698.

in the numerically dominant party which treats all other sections of opinion as politically-defeated antagonists". The word "compromise" has "not entered into the vocabulary of Congress". The Congress still remained, in its own view, the "sole repository of progress, of patriotism, of wisdom".[50] The whole Congress political philosophy was "one of totalitarian control in which all forms of opposition were to be absorbed into the one national machine".[51] Even an extreme Nationalist Muslim, Shaukatullah Ansari, confessed that "the use of criminal law for the prevention of cow slaughter by a Congress Government could not be defended".[52] In the words of an Indian Christian, the Congress was at this time "the Indian counterpart of the Nazi party in Germany".[53] It is the testimony of a British visitor to India that during the first two years of Congress government in the United Provinces "riots doubled in number, armed robbery increased by 70 per cent and murder by 33 per cent".[54] The Congress chairman of a Local Board in the Central Provinces sent a directive to the Headmasters of Urdu Schools, which were attended by Muslim boys, ordering the students to *worship* Gandhi's portrait.[55] Sir James Crerar admitted that incidents had occurred in the Congress provinces well calculated to justify suspicions of the Muslims.[56] In the opinion of Sir Verney Lovett, a historian of Indian Nationalism, the fact was that the unexpected accession to power warped the judgment of Hindu leaders.[57]

Towards the close of Congress domination the subcontinent was "in a state of suppressed civil war" and an explosion was only prevented by the police and the British military system.[58]

[50] L. F. Rushbrook Williams, "Reflections on Indian Discontent", *Nineteenth Century and After*, March, 1941, pp. 238-239.

[51] C. B. Birdwood, *A Continent Experiments, op. cit.*, p. 19.

[52] Shaukatullah Ansari, *Pakistan: The Problem of India* (Lahore: 1944), p. 10.

[53] Rev. Pitt Bonarjee, letter to *Manchester Guardian*, 18 August, 1942.

[54] F. Yeats-Brown, *The Indian Pageant* (London: 1942), p. 149.

[55] Sir Michael O'Dwyer, "India Under the Congress", *National Review*, July, 1939, p. 47. The words used were "*puja ki jawe*".

[56] See his "India and her Future", *Fortnightly Review*, March, 1940.

[57] In *Quarterly Review*, October, 1941, pp. 264-265.

[58] Sir William Barton, "The Viceroy's Council and Indian Politics", *Fortnightly Review*, August, 1942, p. 112.

The Congress went even further. Not content with ruling a majority of provinces singlehanded, it lost no opportunity of harassing the Muslim governments in the Muslim-majority provinces. In connection with the Shahidganj agitation in the Panjab the Sikhs were "thought to have been inspired and perhaps financed by Congressmen in order to embarrass the Government".[59] In Bengal the Congress was perenially trying to prevent the formation of a stable ministry. Similarly in Sind the Congress group neither helped to form a proper Government nor let the Muslim League and its allies do so.

The result was that in the Hindu provinces the Muslims felt that "a Hindu tide was rising which threatened in the long run to submerge their faith and culture and traditions, not only in the south where the Muslim-minority had always been small and weak, but also in the north where it was more substantial and important and where so noble an array of monuments recall to Muslims the grandeur of the Mughul age".[60] The Congress was a Hindu organization—and that was the "one cardinal and undeniable fact". "The psychological and philosophical background of the Congress movement, its modes of thought and conduct, the quality of what was known as 'Congress-mindedness' were essentially Hindu, emphatically not Muslim."[61] So blatant and biassed had been the Congress attitude towards the Muslims that, at the time the Congress ministries resigned, it seemed that in the United Provinces and Bihar "constitutional government might soon become impossible" without a "drastic change of policy".[62] "Slowly but relentlessly the Congress was forcing the Muslims of India into separation."

Muslim League-Congress negotiations

Between 1935 and the outbreak of war several attempts were made by the Muslim League to come to an agreement with the Hindus.

[59] Coupland, *op. cit.*, p. 48. Besides, Congressmen were always fulminating against the Sikandar regime. For a Unionist reply to Hindu criticism see Mian Ahmad Yar Daultana, "Leaves from a Unionist's Diary", *Civil and Military Gazette*, 6 and 12 January, 1937.

[60] Coupland, *op. cit.*, p. 192.

[61] *Ibid.*, pp. 192-193.

[62] *Ibid.*, p. 157.

The earliest of these efforts at an *entente* was made in the beginning of 1935 when Jinnah and Rajendra Prasad, the Congress President, held unity talks. These conversations lasted from January to March, and were then abruptly terminated without achieving any agreement. In the joint communique, issued by the two leaders at the end of the talks, they regretted that their earnest effort at finding a solution to the communal problem "which would satisfy all the parties concerned" had ended in failure.[63] The Congress explanation of the failure was that a substantial measure of common agreement had been achieved and, "left to themselves", the two leaders "would have reached a settlement", which "they have every hope would have been endorsed by the Congress and Muslim League", but "their attempt to make others outside the two organizations agree to the same failed".[64] But Jinnah stated, in May, 1937, that the talks had failed because Rajendra Prasad could not get the approval of "certain sections of influential Congress leaders", not to speak of the Hindu Mahasabha, for the formula which he himself had approved.[65] However, Rajendra Prasand's version was that the formula was agreeable to the Congress, but Jinnah had insisted that Pandit Madan Mohan Malaviyya, the President of the Hindu Mahasabha, also put his signature to the agreement. Malaviyya declined to do so and the talks fell through.[66] To this Jinnah again sent a rejoinder, on 26 July, 1937, clarifying the issue on which the Delhi talks had foundered. He reminded Prasad that it was he and other Congress leaders whc had requested him (Jinnah) for a meeting. The point was that a substitute for the Communal Award was needed which would be acceptable to all parties, and in the meantime the provincial part of the 1935 Constitution shoula be worked for what it was worth until "we secure a constitution for our country which will satisfy our people". This was not agreeable to the Congress leaders. Obviously if a substitute for the Communal Award was to be agreed upon, a proposal should have come from the Hindu and Sikh leaders who opposed the Award. Finally, Jinnah repeat-

[63] Durlab Singh (ed.), *A Complete Record of Unity Talks* (Lahore: n.d.), p. 12.

[64] *Congress Bulletin* of 20 March, 1935, quoted in *ibid.*

[65] *Ibid.*, pp. 11-12.

[66] Rajendra Prasad's Statement, *ibid.*, pp. 13-14.

ed his offer of January 1935 that if Rajendra Prasad was convinced that his formula was acceptable to the Congress and informed him (Jinnah) to that effect "with the authority and sanction of the Congress", he would place it before the All India Muslim League without delay.[67]

In the winter of 1937-38 Jinnah and Gandhi exchanged letters, which were of no great intrinsic importance, but clearly brought out, for the first time, the fundamental difference of outlook between the two organizations that they led. In his letter of 3 March, 1938, Jinnah put the heart of the matter in two sentences. "You recognize the All India Muslim League", he wrote, "as the one authoritative and representative organization of Musalmans in India, and on the other hand you represent the Congress and other Hindus throughout the country. It is only on that basis we can proceed further and devise a machinery of approach." To that, on 8 March, Gandhi replied that he could not "represent either the Congress or the Hindus in the sense you mean", but promised to use his moral influence with the Hindus to secure an "honourable settlement".[68]

Simultaneously Jinnah was also corresponding with Jawaharlal Nehru. When Jinnah wrote to him about Muslim grievances in Hindu provinces, Nehru immediately came to the defence of the Congress ministries and denied all charges levelled against them by the Muslims. He said that he "was not aware of any attempt on the part of the Congress to injure Urdu". He was also unaware of how "the Congress is trying to establish Hindu raj" or "who is doing it". The crux of the Congress point of view was contained in Nehru's long letter of 6 April, 1938, in which he tried to reply to a list of inquiries made by Jinnah. He dismissed the fourteen points of Jinnah as "somewhat out of date". The Communal Award was an undesirable thing, and "if we think in terms of an independent India we cannot possibly fit in that Award with it". The fixing of Muslim share in the State Services should be done by convention and not by a statutory enactment which "will

[67] Jamil-ud-Din Ahmad, *op. cit.*, pp. 21-26.

[68] Full text of Jinnah-Gandhi letters in Durlab Singh, *op. cit.*, pp. 16-32.

impede progress and development". The Congress was not prepared to support the Muslims in the Shahidganj controversy and agitation. The Congress was not prepared to eliminate the *Bande Matram*, for it "would be improper for a national organization to do this". Nor did he see any objection to the use of the Congress flag. The Muslim League was "an important communal organization and we deal with it as such". Other Muslim organizations could not be ignored, and therefore the question of recognizing it as the one and only organization of Indian Muslims did not arise. Finally, Nehru professed ignorance of "what is meant by coalition ministries". A Ministry "must have a definite political and economic programme and policy". The Congress had gone to the assemblies with a definite programme and in furtherance of a clear policy. On that basis it was ready to co-operate with other groups. In simpler words, the Congress stood by its refusal to share power with Muslims or any other groups in the provinces. Towards the end of this letter Nehru was frank and forthright: "Personally the idea of pacts and the like does not appeal to me."[69]

Jinnah replied to this letter on 12 April. To him the long letter had been "painful reading". He objected to its "tone and language" which "display the same arrogance and militant spirit as if the Congress is the sovereign power". He repeated that unless the Congress recognized the Muslim League "on a footing of complete equality and is prepared as such to negotiate for a Hindu-Muslim settlement" there was no chance of a peaceful solution to the Indian problem.[70]

This unsuccessful attempt was followed by Jinnah's correspondence with Subhas Chandra Bose, the Congress President. In May, 1938, in reply to a note by Bose which Jinnah had put before the Muslim League Executive Council, the League Council passed a resolution asserting that it was not possible for it to "treat or negotiate with the Congress the question of Hindu-Muslim settlement except on the basis that the Muslim League is

[69] Text of this letter in *ibid.*, pp. 32-50.

[70] Jinnah's letter of 12 April, *ibid.*, pp. 50-53.

the authoritative and representative organization of the Musalmans of India".[71] On 2 August Jinnah wrote to Bose, saying that the representative and authoritative status of the League "was accepted when the Congress-League pact was arrived at in 1916 at Lucknow and ever since till 1935 when Jinnah-Rajendra Prasad conversations took place, it has not been questioned". Muslims in the fold of the Congress "do not and cannot represent" Indian Muslims. Nor was the Muslim League aware that any Muslim political organization "has ever made a claim that it can speak or negotiate on behalf of the Muslims of India".[72] To this the Congress Working Committee gave an incredibly naive reply on 2 October. "The substance of your letter seems to be that the League does not expect the Congress, whether implicitly or explicitly, to acknowledge its status as the authoritative Muslim organization of India. If this view is accepted by the League, I am authorized to state that the Working Committee will confer with the Committee that may be appointed by the League to draw up the terms of settlement".[73] On 10 October the Muslim League gave the only possible answer that the Congress had "entirely misread" Jinnah's letter of 2 August and that the League was still ready to proceed with the negotiations for settlement of the Hindu-Muslim questions "on the basis defined by my letter".[74]

Jinnah and Nehru once again corresponded with each other in December 1939. On 8 December Nehru read Jinnah's statement fixing 22 December as a "Day of Deliverance" and thanks giving as a mark of relief that the Congress ministries had at last ceased to function. This made him write to Jinnah on 9 December and tell him of his (Nehru's) realization that "our sense of values and objectives in life and politics differ so very greatly". Now the

[71] *Resolutions of the All India Muslim League from October, 1937 to December, 1938*, published by the Honorary Secretary, All India Muslim League (Delhi, n.d.), p. 22.

[72] Letter of 2 August, 1938, sent by M. A. Jinnah on behalf of the Muslim League Executive Council to S. C. Bose, President of the Congress, *ibid.*, pp. 31-33. This was in reply to Bose's letter of 25 July for which see pp. 33-36.

[73] Text in *ibid.*, p. 38.

[74] Letter of 10 October, 1938, sent by M. A. Jinnah on behalf of the Muslim League Executive Council to S. C. Bose, President of the Congress, *ibid.*, pp. 37-38. The entire text of Jinnah-Bose correspondence is also available in Durlab Singh, *op. cit.*

gulf appeared to be "wider than ever". To this Jinnah's reply was a reassertion of his claim that the Muslim League must be accepted by the Congress as the authoritative spokesman of Muslim India before a settlement could be arrived at. He also added that the League could not endorse the Congress demand for a declaration as laid down in the resolution of 10 October, 1937, of the All India Congress Committee till such time as an agreement was reached with regard to the minority problem. But Nehru was adamant and, in his letter of 14 December, clearly stated that the Congress could not accept the League as representing Muslim India without dissociating itself from, or disowning, the non-Muslim League Muslim organizations which "have adopted the same political platform as we have done in the Congress". As for the League's refusal to endorse the Congress demand of a declaration of war aims from the British Government, "it thus seems that politically we have no common ground and that our objectives are different", and that "makes discussion difficult and fruitless". In his next letter, of 16 December, Nehru repeated that the Congress demand "has nothing to do with the Hindu-Muslim problem".[75]

A study of these negotiations and letters leads to a number of significant conclusions. First, the Congress denied all Muslim charges of bias and tyranny levelled against the Congress provincial ministries. As we have seen, Nehru refused to believe that any Congress Government had offended the Muslim minority. Secondly, the Congress was not prepared to consider the Hindu-Muslim problem as an important issue. It was dismissed as an insignificant ebullition which time and changing circumstances would sweep into oblivion. Thirdly, the Congress emphasized its all-inclusive nature and its claim to represent the entire Indian nationalist movement. It looked upon other parties and groups as hardly less than mischievous manifestations of reaction and primitiveness. The Congress was the only genuine national movement speaking for all Indians irrespective of caste and creed. Many Muslim political groups supported the Congress. Only the Muslim League stood out, but how long could it afford to do so? One

[75] Full text of correspondence in *ibid.*

day, perhaps sooner than expected, the League would also step in line with the Congress. Why should, therefore, the League claims be taken seriously? This attitude—a mixture of cynicism, wishful thinking and arrogance—had expected repercussions, and soon helped the League to strengthen itself beyond recognition. It ultimately reinforced the foundations of Muslim separation. But during the period with which we are now dealing the Congress could not even dream of such future developments. It gravely underrated the strength of Muslim nationalism and naively overestimated its own popularity and prospects. The Muslim mass contact campaign, mounted so confidently by Nehru and other Hindu leaders, proved a flop and made the Congress a laughing-stock among the Muslims. The Congress refusal to share power made the Muslims close their ranks and present a united front which otherwise they might not have been able to form for years. Congress oppression in Hindu provinces strengthened the forces of separation. Congress harassment of Muslim governments drove independent politicians, like Sir Sikandar Hayat Khan, into the Muslim League fold.

The Congress policy during 1936-39 was thus a colossal failure, and it was only the jaundiced eye of its leaders which read in this defeat the signs of a triumph of nationalism.

CHAPTER 6

The Movement For Pakistan

A significant turn

The changing attitude of the Muslim League towards the constitutional issues between 1938 and 1940 provides an interesting study. The League's policy underwent a radical change regarding the provinces as well as the Centre in the light of Muslim experience of the provincial autonomy—particularly in the Hindu-majority provinces.

In December 1938, at its annual session at Patna, the All India Muslim League authorized Jinnah "to explore the possibility of a suitable alternative which would completely safeguard the interests of Musalmans and other minorities in India".[1] In pursuance of this resolution, in March, 1939, the League Working Committee appointed a committee under Jinnah's presidentship, "to examine various schemes already propounded and those that may be submitted hereafter" and to report to the Working Committee their conclusions.[2]

[1] *Resolutions of the All India Muslim League from October, 1937 to December, 1938, op. cit.*, p. 61.

[2] *Resolutions of the All India Muslim League from December, 1938 to March, 1940* (Delhi: n.d.), pp. 1-2.

Thus by the beginning of 1940 Muslim politics had decidedly taken a new and significant turn. The departure from the pre-1937 policy was remarkable. The Muslims no longer wanted an Indian federation. No longer was it a question of merely voting in favour of or against a certain (or even any) federal scheme. Federation would not do at all. The greater the Hindus laid emphasis on a strong centre the greater grew the Muslim revulsion to any centre. The more the Congress emphasized the principle of majority rule, the more the Muslims talked of Muslim self-determination. As Congress travelled towards the idea of a united India so did the League turn towards "Muslim independence". The political unity of India, which had been taken for granted by the Muslim League before 1937, was no longer looked upon as an axiom. Hindu insistence on unity and nothing but unity had produced the Muslim reaction of opposing this unity at any price. The Indian polit.cal situation had undergone a fundamental, basic, vital change. Never again was it to be the same.

The rise of separatism

Before the All India Muslim League passed its historic Lahore (or Pakistan) Resolution in March, 1940, the establishment of a separate Muslim state or states in this subcontinent had been advocated by some public figures. What follows in this section is a rapid survey of the contributions of these harbingers of Pakistan.

The concentration of Muslim majorities in the north-west and north-east of the subcontinent could not remain unnoticed by political thinkers. Saiyid Jamaluddin Al-Afghani, the famous worker in the cause of world Islamic unity, first thought of the possibility of a Muslim Republic embracing the present Central Asian Socialist Republics, Afghanistan and the Muslim majority areas in the north-west of the subcontinent.[3]

It is claimed by Chaudhary Rahmat Ali that as early as 1915 he said in an address to Bazm-i-Shibli that "North of India is Muslim and we shall keep it Muslim. Not only that. We will make it a Muslim State. But this we can do only if and when we and

[3] *A History of the Freedom Movement*, vol. 1, (Karachi: 1957), pp. 48-49.

our North cease to be Indian. For that is a pre-requisite to it. So sooner we shed 'Indianism', the better for us and for Islam."[4]

Soon after in 1917 Dr. Abdul Jabbar Kheiri and Professor Abdus Sattar Kheiri, generally known as Kheiri Brothers, suggested a plan of the partition of India in the Stockholm Conference of the Socialist International.[5]

In March and April, 1920, the *Dhu'l-Qurnain* of Badaun published an open letter from one Muhammad Abdul Qadir Bilgrami to Gandhi advocating partition of the subcontinent, in which he gave even a list of the Muslim districts, which is, generally speaking, not too different from the present boundaries of East and West Pakistan.[6] These letters seem to have attracted some notice because they were later published in the form of a pamphlet which ran into two editions. The second edition is dated December, 1925.

In the early days of the First World War one Lovat Fraser who had been Editor of the *Times of India* published a map in the *Daily Express* of London in which he drew an arrow from Constantinople to Saharanpur, a city in the present Indian State of Uttar Pradesh, showing a Muslim "corridor" where the Muslims were in a majority.[7]

The President of the Hindu Mahasabha, Savarkar, frequently referred to the Hindus and the Muslims as two nations. Another prominent member of the Congress as well as the Hindu Mahasabha, Lala Lajpatrai, suggested the partition of India in 1924.[8]

In 1923, Sardar Muhammad Gul Khan of the district of Dera Ismail Khan of the North-West Frontier Province advocated before the Frontier Inquiry Committee the division of India between the Hindus and the Muslims, allocating to the Muslims the area

[4] Chaudhary, Rahmat Ali, *Pakistan, op. cit.*, p. 172.

[5] Syed Sharifuddin Pirzada, *Evolution of Pakistan* (Lahore: 1963), pp. 68-90.

[6] Muhammad Abdul Qadir Bilgrami, *Hindu Muslim Ittihad per Khula Khat Mahatma Gandhi ke nam* (Aligarh: 1925).

[7] I. H. Qureshi, *The Muslim Community of the Indo-Pakistan Subcontinent, op. cit.*, pp. 295-296.

[8] Richard Symonds, *The Making of Pakistan* (London: 1950), p. 59.

from Peshawar to Agra. Mohamed Ali was severely criticized by the Hindu members when in supporting a resolution for the introduction of reforms in the North-West Frontier Province he mentioned the existence of the "Muslim corridor" mentioned by Lovat Fraser.[9] He upheld stoutly, in an article in his review, *The Comrade*, the right of self-determination of any areas in the North-West Frontier. He was quite clear that the principle of self-determination could not be applied only to areas situated in the heart of India because then separation would be physically impossible.[10]

This was in line with his thinking because he said in the Round Table Conference that "the Musalmans constitute not a minority in the sense in which the late war and its sequel has habituated us to consider European minorities . . . A community that in India alone must be numbering more than 70 millions cannot easily be called a minority."[11]

In 1928 Aga Khan III advocated independence for each province at the Calcutta meeting of the All Parties Convention.[12]

Sir Muhammad Iqbal is generally credited with initiating the idea of separation. As has been mentioned, there were people before him who advocated partition, but Iqbal was the first important public figure to propound the idea from the platform of the Muslim League. In his presidential address to the League's annual session at Allahabad in 1930, he discussed the problem of India at length. The salient points of his address are summarized below in almost in his own words:

"The various caste-units and religious units in India have shown no inclination to lose their individualities in a larger whole. Each group is intensely jealous of its separate existence. The formation

[9] I. H. Qureshi, *The Muslim Community of the Indo-Pakistan Subcontinent*, *op. cit.*, p. 296.

[10] Mohamed Ali, "The North-West Frontier and Hindu Fear", *The Comrade*, Delhi, 22 May, 1925, and 5 June, 1925.

[11] Indian Round Table Conference 1930-31 (Minorities Committee, documents, minutes, meetings 1-6.)

[12] Pattabhi Sitaramayya, *The History of the Indian National Congress*, *op. cit.*, vol. I, p. 334.

of the kind of moral consciousness which constitutes the essence of a nation is not possible in India. India is Asia in miniature. If the principle that the Muslims are entitled to full and free development on the lines of their own culture and traditions in their own Indian homelands is recognized as the basis of a permanent communal settlement, they will be ready to stake their all for the freedom of India. Communalism, in the higher sense, is indispensable to the formation of a harmonious whole in India. The units of Indian society are not territorial. The principles of European democracy cannot be applied to India without recognizing the fact of communal groups. The Muslim demands for the creation of a Muslim India within India is, therefore, perfectly justified. Thus possessing full opportunity of development within its body politic, the Muslims of the North-West will prove the best defenders of India against any foreign invasion, be that invasion one of ideas or of bayonets. A unitary form of government is simply unthinkable in a self-governing India. What is called "residuary powers" must be left entirely to self-governing states. I would never advise the Muslims of India to agree to a system, whether of British or of Indian origin, which negatives the principles of a true federation, or fails to recognize them as a distinct political unit. A redistribution of British India, calculated to secure a permanent solution of the communal problem, is the main demand of the Indian Muslims."

The following portion of the address is quoted verbatim:

"The Muslim demand for the creation of a Muslim India within India is, therefore, perfectly justified. The resolution of the All-Parties Muslim Conference at Delhi, is, to my mind, wholly inspired by this noble ideal of a harmonious whole which, instead of stifling the respective individualities of its component wholes, affords them chances of fully working out the possibilities that may be latent in them. And I have no doubt that this House will emphatically endorse the Muslim demands embodied in this resolution. Personally, I would go further than the demands embodied in it. I would like to see the Panjab, North-West Frontier Province, Sind and Baluchistan amalgamated into a single State. Self-government within the British empire or without the British empire,

the formation of a consolidated North-West Indian Muslim State appears to me to be the final destiny of the Muslims, at least of North-West India."[13]

Some writers have taken Iqbal to mean that he wanted only a consolidated Muslim unit within the confederation of India but this is incorrect. If that were so, he would not have mentioned self-government within the British empire or without it. A resolution of the All Parties Muslim Conference was, in his view, a demand for the autonomy of Islam within a free India. That is the reason why he prefaced his remark by saying that personally he would like to go even further which could mean only independence. In the Third Round Table Conference Iqbal pleaded that there should be no central government in the subcontinent and that the provinces should be autonomous and independent dominions.[14]

Iqbal did not give a name to his projected Muslim state. That was the work of Rahmat Ali, to whom we now turn again. In January 1933, Chaudhary Rahmat Ali and his three colleagues in Cambridge, issued a pamphlet entitled *Now or Never,* in which the idea of Partition was reiterated. They wanted a separate Muslim State in India, Pakistan, comprising the Panjab, the N.W.F.P., Kashmir, Sind and Baluchistan. They opposed the federal constitution then on the anvil and said that Muslim delegates to the Round Table Conference could not speak for their community. "India is not the name of one single country, nor the home of one single nation. It is, in fact, the designation of a state created for the first time in history by the British." Regarding Hindu-Muslim differences, they stated, "we do not inter-dine, we do not inter-marry. Our national customs and calendars, even our diet and dress are different." The Muslims "demand the recognition of a separate national status . . . There can be no peace, and tranquillity in this land if we, the Muslims, are duped into a Hindu-dominated Federation where we cannot be the masters of our own destiny and captains of our souls."[15]

[13] Shamloo, *Speeches and Statements of Iqbal* (Lahore: 1948), pp. 11-12.

[14] B. R. Ambedkar, *Thoughts on Pakistan* (Bombay: 1941), p. 336, fn.

[15] C. Rahmat Ali, *Now or Never* (Cambridge: January, 1933).

Simultaneously Rahmat Ali founded the Pakistan National Movement aimed at translating his ideas into achievement. A good elaboration of his ideas is to be found in his statement in the Supreme Council of the Pakistan National Movement in 1940. In it he underlined the menace of what he called "Indianism". It had corrupted Islam spiritually and morally. It had depressed the Muslims, politically and economically. It had deprived the Muslims of national sovereignty and reduced them to a "minority community". The *Millat* of the Muslims should have nothing to do with India. North-West India should make up the nation-state of Pakistan. But that was not enough. Muslims living in other parts of India should also be set free. Bengal and Assam should form another Muslim state of Bang-i-Islam. The Nizam's dominion in Hyderabad must be another state name Usmanistan. These three states should then form a triple alliance.[16]

Dr. Sayyid Abdul Latif of Hyderabad believed, like the Muslim League and Chaudhry Rahmat Ali, that India was not a nation, but he thought, unlike them, that partition was not a desirable solution. In two books[17] he expressed his own ideas on the political future of India. He divided India into four cultural zones for the Muslims and eleven for the Hindus. The Muslim zones were: North-West Block, consisting of Sind, Baluchistan, the Panjab, N.W.F.P. and the states of Khairpur and Bahawalpur; North-East Block, comprising Eastern Bengal and Assam; Delhi-Lucknow Block; and the Deccan Block. The Indian States scattered all over India were to be distributed among the different zones in accordance with their natural affinities. Each zone "will form a homogeneous state with a highly decentralized form of government within . . . but fitting along with similar states into an all-India federation". The exchange of population was considered to be inevitable. The author claimed that his scheme was "more thoroughgoing and scientific, because according to the Congress ideal, cultural distribution is to follow linguistic lines, whereas under this, the cultural lines are fuller, comprehending the ling-

[16] C. Rahmat Ali, *The Millat and the Menace of 'Indianism'* (Cambridge: 1940).

[17] Sayyid Abdul Latif, *The Cultural Freedom of India* (Bombay: 1938), *The Muslim Problem in India* (Bombay: 1939).

uistic as well". The Congress proposal gave no cultural autonomy to the Muslims, while under this scheme every cultural unit, Hindu or Muslim, was "given a homeland of its own, where it may develop on its own lines in a spirit of goodwill towards every other unit". Further, it offered to the smaller minorities "cantonal lines" if they so desired. The scheme, concluded its framer, was a "scheme for unity and not for disruption".

His final and transitional scheme of constitution may be summarized by saying that a federation of the existing provinces and states must be established, with the powers of the Centre reduced to the minimum. Both at the Centre and in the provinces "composite stable executives" were to replace the purely parliamentary system. Separate electorates should be retained, along with the existing Muslim strength in the provincial legislatures. At the Centre the Muslims were to have one-third representation. Zonal boards were to work out common policies and to prepare the way to an ultimate constitution.

Sir Abdullah Haroon, a Muslim League leader of Sind, presented his own proposals in the autumn of 1938. In a foreword that he wrote for Latif's *The Muslim Problem in India,* he suggested the division of India into two separate federations, "each reflecting the strength of one of the two major communities". The Muslim federation would consist of North-West Indian provinces and Kashmir. He was silent on the future of Bengal and Assam.[18]

The following year, another writer, writing under the pseudonym of "A Panjabi", put forward his solution in this field.[19] Without conceding the necessity of a mass transfer of population, he divided India into five "countries": the Indus Region, the Hindu India (comprising all areas not covered by other "countries"), Rajastan (consisting of Rajputana and Central India), the Deccan States (Hyderabad and Mysore), and Bengal (minus its Hindu districts plus parts of Assam). All these "coun-

[18] *Ibid.*, pp. v-vii.

[19] It is generally believed that the author was Nawab Sir Muhammad Shah Nawaz Khan of Mamdot. There is some doubt on this point. Some hold that the author was Miyan Kifayat Ali.

tries" would be federations in themselves. He did not accept the principle of outright separation: there should be no break away from India: "ultimately our destiny lies within India and not out of it". Muslims would think of separation only if the Hindus would force it upon them. They should be "separationists-*cum*-confederationists". These five "countries" should be "reassembled" in a "Confederacy of India". However, the Confederacy would not control the fiscal policy of the whole country. The five "countries" would equally share the cost of defence.[20]

The next proposal came from Sir Sikandar Hayat Khan, the Chief Minister of the Panjab. In a pamphlet entitled *Outline of a Scheme of Indian Federation*, which he issued in July, 1939, he began by acknowledging that the federal scheme embodied in the 1935 Act was not acceptable to any section of Indian political opinion. The problem, he said, was "whether it is possible to devise a Federal Scheme to replace the one envisaged by the framers of the Government of India Act, which would satisfy and compose the conflicting interests of the various communities and classes, or at least command a larger measure of support than the present scheme". His solution to this problem was the division of the subcontinent into seven areas: (1) Assam plus Bengal plus Bengal States plus Sikkim, (2) Bihar plus Orissa, (3) United Provinces plus U.P. States, (4) Madras plus Travancore plus Madras States and Coorg. (5) Bombay plus Hyderabad plus Western Indian States plus Bombay States plus Mysore and C.P. States, (6) Rajputana States plus Gawaliar plus Central Indian States plus Bihar and Orissa States plus Central Provinces and Berar, (7) the Panjab plus Sind plus N.W.F.P. plus Kashmir plus the Panjab States plus Baluchistan plus Bikaner and Jaisalmer. Each zone was to have a legislature, and all zonal assemblies were collectively to constitute the Central Federal Assembly, one third of whose membership was to be Muslim. The Federal Executive was to consist of the Governor-General and a Council of Ministers. The Council would have at least one third Muslim personnel. The subjects given to the federation were Defence, External Affairs, Communications, Customs, Coinage and Currency. In his opinion

20 A Punjabi, *Confederacy of India* (Lahore: 1939).

a United Indian Federation of this kind would acquire Dominion Status with the minimum of delay.[21]

This problem of a constitutional alternative to the 1935 Act was agitating the minds of many Muslims, and in the same year two professors of the Muslim University of Aligarh published their suggestions in a booklet. They started with the axioms that the Indian Muslims were "a nation by themselves", that their future lay in "complete freedom from the domination of the Hindus, the British, or for the matter of that, any other people", and that the Muslim provinces could not be forced to join a single all-India federation. This led to the conclusion of dividing India into three separate and independent and sovereign states, *viz.*, (1) North-West India, including the Panjab, the N.W.F.P., Sind and Baluchistan; (2) Bengal, including the Purnea district of Bihar and the Sylhet division of Assam but excluding the districts of Howrah, Midnapore and Darjeeling; (3) Hindustan, comprising the rest of India, but having two newly-created autonomous provinces of Delhi and Malabar. Every city with a population of 50,000 or more was to be a free city. Hyderabad would be a sovereign state. The North-West federation would be a Muslim state and "may well be called 'Pakistan' ". These three states of Pakistan, Bengal and Hindustan should enter into a "defensive and offensive alliance". Each of these would have separate treaties of alliance with Great Britain. They would have a joint Court of Arbitration "to settle any dispute that may arise between themselves or between them and the Crown".[22]

The Lahore Resolution

The Sind Provincial Muslim League held a conference at Karachi in early October, 1938. It was on this occasion that a Muslim League meeting hinted for the first time at the demand for Pakistan. In Resolution No. 5, the Conference castigated the Congress policy of dividing and ruling the Muslims, criticized its refusal to share power in Hindu provinces, regretted that Hindu rule

[21] Sikandar Hayat Khan, *Outlines of a Scheme of Indian Federation* (Lahore: 1939), extracts reproduced in Gwyer and Appadorai, *op. cit.*, pp. 455-462.

[22] Sayyid Zafar-ul-Hasan and Muhammad Afzal Husain Qadri, *The Problem of Indian Muslims and its Solution* (Aligarh: 1939), text in *ibid.*, pp. 462-465.

had led to the oppression of the Muslims and characterized the Congress organization as dictatorial and fascist. Next it enumerated such acts of Congress misconduct as the introduction of the Vidya Mandir Scheme, the foisting of *Bande Matram* on Muslims, attempts to make Hindi with Devanagari script the *lingua franca* of India, the enforcement of joint electorates in local bodies, the discouragement of Urdu, and the denial of fundamental and customary rights to the Muslims. In the light of this, said the Resolution, it was necessary, for ensuring the right of "political self-determination of the two nations known as Hindus and Muslims", to review the entire "question of what should be the suitable constitution for India which will secure honourable and legitimate status due to them". It was recommended that the All India Muslim League should devise a scheme of Constitution "under which Muslims may attain full independence".[23]

For the first time a provincial branch of the Muslim League had used the word "nation" for Hindus and Muslims separately. For the first time Muslims began to talk of self-determination. And for the first time they indicated their demand for a constitution under which they might attain "full independence". They were moving fast towards separatism.

During the whole of the following year Jinnah was delivering speeches and issuing statements, the Muslim League was passing resolutions and various Muslim leaders and political commentators were evolving schemes—all planning for and leading to the idea of partition. In September, 1939 the Working Committee of the All India Muslim League resolved that it was "irrevocably opposed" to any federal scheme in which a permanent majority ruled over a permanent minority and thus reduced a democratic and parliamentary system of government to a farce. This was totally unsuited to the "genius of the peoples" of India who were composed of various nationalities and did not constitute a national state.[24] On 22 October, the Committee reiterated that no constitu-

[23] *Resolutions of the All India Muslim League from October, 1937 to December, 1938, op. cit.*, Annexure, pp. 65-68.

[24] *Resolutions of the All India Muslim League from December, 1939 to March, 1940, op. cit.*, pp. 25-28.

tion for India would be acceptable to the Muslims unless it completely scrapped the 1935 federal constitution and met the approval of the Muslim League.[25] Towards the end of the year, Jinnah, in a press interview to the *Manchester Guardian,* declared unequivocally that "it is impossible to work a democratic parliamentary government in India". Democracy could only mean Hindu raj all over the country. This "is a position to which the Musalmans will never submit". Muslim India wanted to be free and enjoy liberty to the fullest extent and develop its own political, economic, social and cultural institutions according to its own genius, and not to be dominated and crushed. At the same time the Muslims wished Hindu India well and did not grudge them the fullest scope to do likewise. It was incorrect to call the Muslims of India a minority. "They are in a majority in the North-West and in Bengal."[26]

A little later, in an article which he contributed to *Time and Tide,* an independent British weekly, he cogently argued the Muslim case in India. Hinduism and Islam, he said, represented two "distinct and separate" civilizations; the Hindus and the Muslims were, in fact, two different nations. From the fact that in India there was a major nation and a minor nation, it followed logically that parliamentary system based on the majority principle "must inevitably mean the rule of the major nation". He impressed upon the British mind two things: first, that democracy of the usual Western variety was not suited to India, and secondly, that party government was not possible in India. The sooner the truth of these statements was realized the better for both the Indians and the British and the earlier would come the freedom of India. A constitution must be evolved that "recognizes that there are in India two nations who both must share the governance of their common motherland".[27] Britain wanted to rule over India; Gandhi wanted to rule over Muslim India; the Muslims would not allow either of them to rule over Muslim India, combined or separately.[28] One thing was now obvious: the Muslims were by

[25] *Ibid.*, pp. 29-30.
[26] Jamil-ud-Din Ahmad, *op. cit.*, pp. 98-102.
[27] *Ibid.*, pp. 128-138.
[28] *Ibid.*, p. 147.

no means a minority, but "a solid and distinct nation by ourselves with a destiny of our own".[29]

One final effort at reconciliation was made by the Muslims in November, 1939. Jinnah promised to reach an agreement with the Congress for the duration of the war if the latter conceded the following five terms: coalition ministries in the provinces; legislation affecting Muslims not to be enforced if two-thirds of their number in a provincial lower house were opposed to it; the Congress flag not to be flown over public institutions; understanding regarding the use of the *Bande Matram*; and the Congress to stop its efforts to destroy the Muslim League. The Viceroy met Bhulabhai Desai in Bombay in early 1940 and asked him what the Congress thought or would think of the Muslim demands. Desai replied that the Congress was prepared to include in any provincial ministry a Muslim nominated by a majority of Muslim representatives in a provincial assembly, subject to acceptance by that minister of the principle of collective responsibility and ordinary Congress discipline.[30] Apparently the item relating to the formation of coalition in provinces was the most important of the five Muslim terms, and it was on finding a solution of this problem that the chances of a settlement depended. The Muslim demand was by no standard unreasonable. With the experience of Congress rule yet fresh in their memory, it was natural for the Muslims to demand a share in provincial governments and to make this demand a condition of a *rapprochement*. Desai's reply was not a blank refusal and it was possible, perhaps probable, that had further talks been carried on and had the majority community exhibited a sense of realism as well as accommodation, a reconciliation might have been achieved. But all hopes in this direction were disrupted by Gandhi's intervention. With regard to coalition ministries in the provinces he categorically stated that there was no hope in that direction with the Muslim League "in its present mood". He did not think that at that stage "anything was to be gained by coalitions".[31]

[29] *Ibid.*, p. 154.

[30] V. P. Menon, *The Transfer of Power in India* (Calcutta: 1957), pp. 72-73.

[31] *Ibid.*, p. 77.

The Congress had learnt no lesson from the Muslim reaction to Hindu rule. The League was rapidly growing in popularity and power. People were flocking round Jinnah who was fast becoming the sole leader of the Muslims. The League was tightening up its organization and consequently winning all by-elections. But all these signs of Muslim solidarity made no impression upon Congress minds. Wholly wrapped up in their own grandiose schemes of hegemony over the entire subcontinent the Congress leaders refused to read the signs of the time. They thought that they were about to realize their dreams of a Hindu raj over the whole of India; this pre-occupation denied them the capacity to estimate properly the strength of the Muslim resistance to that ideal. As always, so now, the depth of Muslim national sentiment was grossly underrated. Because the Congress belittled the Muslims, the Muslim question did not exist. Because the Congress pretended to speak for the whole of India, the Muslim League did not exist. Because the Muslim League did not exist, with whom should the Congress deal? This was how the Hindus argued to their own satisfaction. Events were soon to show how shortsighted was their obduracy. It pushed the Muslims into separatism.

The Congress was too confident of its power in fighting the British. The British were busy in ruling India and fighting the Germans. Neither was prepared to consider the Muslim problem, or to pay heed to the Muslim demands. In these conditions the Muslims could only rely on their inherent strength and carve their way out of the impasse through determination. Jinnah was now convinced that the Muslims could not hope for fair treatment in a Hindu dominated state. If the Hindus were bent upon dreaming of themselves as rulers of all India, it was time they were told that the Muslims had an equal right to rule over their part of the subcontinent. If Muslims were denied their basic rights, the Congress would not be allowed to exercise its sway on Muslim areas. If the Congress wanted the whole of India, then one India must vanish and be replaced by two Indias. Congress arrogance was at last to reap its bitter harvest of retribution. The Muslims would have nothing to do with one India if that one India was to be ruled by the Hindus. For in such an India there would be no room for their culture or their traditions.

So far ideas of Muslim separatism had been floating in the Indian political atmosphere, but none had dared give them a concrete shape. Iqbal had thrown out a suggestion and then relapsed into silence. Rahmat Ali was more consistent but less equipped. The smaller fry could only evolve schemes for their elders; they could not sell them to the public. An established political party must father the idea by making it a plank in its programme. This is precisely what the Muslim League did at Lahore in March 1940.

At its annual session—historic in retrospect—at Lahore, the League, for the first time, adopted the idea of partition as its final goal. Jinnah's presidential address to the session is a landmark in the history of Muslim nationalism in India, for it made an irrefutable case for a separate Muslim nationhood and for dividing India into Muslim and Hindu states. The Muslims of India, he declared, stood unequivocally for the freedom of India, but it must be freedom for all India and not for one section only. If the Hindus were to be free and the Musalmans were to be their slaves, it was hardly a freedom for which the Muslims could be asked to fight. The Muslims were a nation by any definition. The problem of India could not be solved if it was treated merely as an inter-communal question. It was an international issue and must be dealt with as such. That Hindus and Muslims could ever evolve a common nationality was an idle dream. "The Hindus and Muslims belong to two different religious philosophies, social customs, literatures. They neither inter-marry nor inter-dine together and, indeed, they belong to two different civilizations which are based mainly on conflicting ideas and conceptions. Their concepts on life and of life are different. It is quite clear that Hindus and Muslims derive their inspiration from different sources of history. They have different epics, different heroes and different episodes. Very often the hero of one is a foe of the other and, likewise, their victories and defeats overlap. To yoke together two such nations under a single state, one as a numerical minority and the other as a majority, must lead to growing discontent and final destruction of any fabric that may be so built up for the government of such a state . . . Musalmans are a nation according to any definition of a nation, and they must

have their homelands, their territory and their state. We wish to live in peace and harmony with our neighbours as a free and independent people. We wish our people to develop to the fullest our spiritual, cultural, economic, social and political life in a way that we think best and in consonance with our own ideals and according to the genius of our people." Therefore, Muslim India could not accept any constitution which would necessarily result in the permanent rule of a permanent majority. The only course open to all was to permit the major nations to establish separate homelands by dividing India into sovereign states.[32]

When the mind of the audience had thus been prepared, the main resolution of the session was introduced by Fazlul Haq. It was "resolved that it is the considered view of this session of the All India Muslim League that no constitutional plan would be workable in this country or acceptable to the Muslims unless it is designed on the following basic principles, *viz.*, that geographically contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary, that the areas in which the Muslims are numerically in a majority, as in the North-Western and Eastern zones of India, should be grouped to constitute 'Independent States' in which the constituent units shall be autonomous and sovereign".

The last paragraph of the Resolution—which underlined the fact that the separation demanded was to be complete and final—read: "This session further authorizes the Working Committee to frame a scheme of constitution in accordance with these basic principles, providing for the assumption finally by the respective regions of all powers such as defence, external affairs, communications, customs and such other matters as may be necessary."[33]

This was the Lahore or as it has come to be called the Pakistan Resolution. This was division, pure and simple. And this was the Muslim answer to Congress ambitions. This was the "least fissiparous of several efforts by different authors to redraw the map".[34]

[32] Full text in Jamil-ud-Din Ahmad, *op. cit.*, pp. 159-181.

[33] *Resolutions of the All India Muslim League from December, 1938 to March, 1940*, *op. cit.*, pp. 47-48.

[34] Patrick Lacey, "Two Indias", *Eastern Times*, 2 August, 1940.

Hindu-Muslim antagonism had brought India to the verge of division. Were the Muslims justified in thus despairing of getting a place in the Indian sun? There is no doubt that the Congress was a Hindu body and that Gandhi behaved as if he were the embodiment of the Hindu metaphysician concept of Diety: *sva ichchhra*, "self-determined, capricious, irresponsible, and unpredictable".[35] As years passed, the nationalism of Gandhi was "equated more and more with a broadly based, tolerant but still very clear-cut Hinduism".[36] The Hindu-Muslim conflict was not merely religious but a "clash of two separate and distinct civilizations".[37]

We have said above that the passing of the Lahore Resolution was a historic event *in retrospect*. At the time when it was passed its significance was not completely apprehended by many observers. In India, of course, there was a hue and cry among the Hindus. The Hindu-controlled press indulged in unashamed and bitter recrimination and the Congress leaders faithfully took up the refrain. In fact, it was the Hindu press which "dubbed" the Lahore Resolution as a demand for Pakistan. In Britain, on the other hand, the Resolution went almost unnoticed. Only one or two papers published a summary of it. Comments were few and uninformed. The *Manchester Guardian*, the so-called liberal conscience of Britain and an old friend of the Hindus, was furious and accused Jinnah of "re-establishing the reign of chaos in Indian politics". The demand "struck at the heart of Indian nationalism" and would retard India's progress towards self-government.[38]

These "liberal" *obiter dicta* were severely criticized by Patrick Lacey, a distinguished British journalist. In a letter to the journal he called it prejudiced and biassed and asserted, in favour of the Muslim demand, that "it is only the unifying bond of indifference, submission, or hostility to alien rule that has held India

[35] T. C. Hodson (Professor of Social Anthropology at the University of Cambridge) in letter to *The Times*, 24 January, 1941.

[36] Paul Knapland, *Britain, Commonwealth and Empire 1901-1955* (London: 1956), p. 215.

[37] Sir Alfred H. Watson, *Political Advance in India*, *op. cit.*, p. 10.

[38] *Manchester Guardian*, 2 April, 1940.

together". That bond was now being removed. The Muslims "do not seek supremacy over all India . . . They simply want to be sure that, if harmonious co-operation with Hinduism proves finally impossible, they will not be denied on that account the next best thing in constitutional advance".[39]

The most favourable British comment on the Lahore Resolution appeared in *Nature*, the scientific weekly: "Apart from the fact that the voice of a minority of some 80 million or more, sectional differences for once forgotten, cannot be ignored, it is based upon a very real difference in a cultural tradition, as every student of Indian civilization is aware; for the Muslim tradition fosters democratic outlook while fearing and resenting Hindu domination in an independent India, which would from its immemorial tradition of caste be essentially oligarchic in practice. However impracticable the Muslim demand may be, no solution will secure the future of India in world affairs or internally which attempts to ignore or override these fundamental differences of culture and tradition."[40]

From now onwards the Muslim League policy was clear and unmistakable. It did not want one India with a clear and inescapable Hindu majority, which through a parliamentary system of government and a so-called democratic process would nullify Muslim rights and interests. India must be split. There was no alternative. The Muslims wanted this and would not be satisfied by anything less. The way lay clear and open to Pakistan.

Why Pakistan?

At the Lahore session of 1940 the ideal of Pakistan was formally adopted by the Muslim League. But the mere passage of a resolution did not make the pursuit of this ideal an integral part of the League's objectives or constitution. Therefore, at its next annual session at Madras in April 1941, this omission was rectified. Resolution No. 2 of the session amended the aims and

[39] Patrick Lacey, letter to *Manchester Guardian*, 4 April, 1940.
[40] *Nature*, 6 April, 1940.

objects of the All India Muslim League. Section 2(a) of the Constitution was substituted with this:

"(i) The establishment of completely independent states formed by demarcating geographically contiguous units into regions which shall be so constituted, with such territorial readjustments as may be necessary, that areas in which the Musalmans are necessarily in a majority, as in the North Western and Eastern zones of India, shall be grouped together to constitute Independent States as Muslim Free National Homelands in which the constituent units shall be autonomous and sovereign.

(ii) That adequate, effective and mandatory safeguards shall be specifically provided in the constitution for minorities in the above mentioned units and regions for the protection of their religious, cultural, economic, political, administrative and other rights and interests in consultation with them;

(iii) That in other parts of India where the Musalmans are in a minority, adequate, effective and mandatory safeguards shall be specifically provided in the constitution for them and other minorities for the protection of their religious, cultural, economic, political, administrative and other rights and interests in consultation with them."[41]

During this session, Abdul Hamid Khan, Chairman of the Reception Committee, declared that the demand for Pakistan "does not run counter to the idea of India's political unity, nor does it mean the vivisection of India", "since because that unity was never real, the basis of Pakistan has existed all the time in this country".[42] One significant feature of this session was the presence of a large number of non-Muslim leaders.[43]

[41] *Resolutions of the All India Muslim League from April, 1940 to April, 1941*, published by the Honorary Secretary, All India Muslim League (Delhi: n.d.), pp. 39-40.

[42] *Civil and Military Gazette*, 15 April, 1941.

[43] They included Sir R. K. S. Chetty, Sir K. V. Reddy, Sir A. P. Patro. M. A. M. Chettiar, C. R. Srinivasan, Rao Bahadur M. C. Rajah and N. Sivaraj, *ibid.*

The Muslim leaders and political workers were not content with passing these resolutions. They busied themselves carrying on an effective propaganda in favour of Pakistan. Again and again Jinnah spoke on the political future of India and emphasized the two-nations theory, the desirability, in fact, the inevitability of Pakistan, the necessity of a peaceful Hindu-Muslim *entente* and the need of unity among all the Muslims of India. He cleared many misunderstandings, both in Muslim and Hindu minds, and clarified the details of the Pakistan scheme. The greatest merit of those speeches was that they put the Pakistan plan in its proper context of Indian historical, political, social, religious and constitutional conditions.

The Hindus and some Muslims had spread the false idea that the Muslim minorities in Hindu majority provinces would have to migrate *en bloc* if Pakistan was realized. The Quaid-i-Azam told the Muslims that this was not merely wrong but an insidious move to frighten the Muslims and thus to alienate them from the Muslim League. He explained that, whether India was partitioned or not, the Muslims of the Hindu provinces would always remain minorities. By opposing the division of India they could not improve their position, but they would obstruct the freedom of a majority of Muslims in the subcontinent. At the same time he told the Sikhs of the Panjab that they would have a better and more honourable existence in the "sovereign state" of the Panjab than in a united Hindu-dominated India. Simultaneously he appealed to Kashmir, Bahawalpur, Patiala and other states of the north-western Muslim zone that the League would be glad to "come to a reasonable and honourable agreement" with them if they were willing to enter the Muslim homeland, but that it had no desire to force them or coerce them "in any way". India was not the sole property of the Congress. Pakistan would not be a "vivisection of the motherland". India was not the motherland of the Hindus only. If longer habitation was the criterion, then "India was the motherland only of the Dravidians and still further the Aborigines".[44] India was already divided and partitioned by nature. Muslim India and Hindu India existed on the physical

[44] Jamil-ud-Din Ahmad, *op cit.*, pp. 183-187.

map. Where was the country which was going to be partitioned? Where was the nation which was going to be divided? Where was the Central National Government whose authority was going to be violated?[45]

To the charge that the Pakistan scheme was impracticable, Jinnah pointed out that autonomous provinces were already in existence under the 1935 constitution, and in some of them the Muslims predominated while others were mainly Hindu. Their reconstitution into "geographical, contiguous, homogeneous, independent zones" was the most feasible and practicable scheme. The ideal of Pakistan presupposed Indian freedom and independence. In fact, the achievement of independence would be brought very much nearer by quickly agreeing to the principle of partition than by any other method.[46] The Muslims did not want to harm or injure any other community or interest. They did not want to block progress. They asked for the barest justice. They wanted to live "an honourable life as free men, and we stand for free Islam and free India".[47] To yield to the demands of the Congress would "amount to prejudging the consideration of the future constitution" of India and would put Muslim India "under the heels of a Hindu Raj". Muslim India would resist this "with all the power it can command".[48]

He warned that if the Hindus tried to get the whole of India they would lose the whole, but if they gave one-third to the Muslims they would get two-thirds.[49] Again referring to the apprehension of the Muslims of the Hindu provinces, he asked them whether by subjecting the sixty-five million Muslims of the Pakistan area to Hindu rule as a perpetual minority under an all India unitary government, the remaining twenty-five million Muslims were going to be benefited.[50] The Muslims were not demanding Pakistan from the Hindus, because the Hindus never possessed

[45] *Ibid.*, pp. 189-190.
[46] *Ibid.*, pp. 190-192.
[47] *Ibid.*, p.193.
[48] *Statesman*, 25 December, 1941.
[49] Jamil-ud-Din Ahmad, *op. cit.*, p. 238.
[50] *Ibid.*, pp. 242-243.

the whole of India. It was the Muslims who took India and ruled over her for seven hundred years. It was the British who took India from the Musalmans. The Muslim demand was addressed to the British, who were in possession of India. It was "utter nonsense" to say that Hindustan belonged to the Hindus.[51]

The Quaid-i-Azam's plea that India was never a united nation and that Muslim India had always been a separate entity was echoed by two provincial leaders. Nawab Shah Nawaz Khan of Mamdot thought that Pakistan had existed in India for nearly 12 centuries and that the Muslim League was only seeking constitutional sanction for its independent future. The region lying to the west of the river *Jumna* had been for over a thousand years inhabited by Musalmans and, as such, was their national home or Pakistan.[52] A month later, G. M. Syed, a member of the Working Committee of the Muslim League and a Sindhi leader, asserted that the Indus valley civilization as revealed by Moen-jo-daro was a clear indication that the Pakistan territories had never formed part of India. He went on to say that Sind, the Panjab, Afghanistan and the N.W.F.P. "formed part of the Middle East rather than of the Far East."[53]

To discover the full gamut of arguments given in favour of Pakistan, we should also look at the reasoning of some other Muslim politicians and intellectuals. El Hamza attributed the Muslim hardening of attitude to the "ideology of hatred and passive insult" fostered by Gandhi and his followers. A "few months" of Congress rule under the dictation of Gandhi had given the Muslims an unforgettable taste of things to come.[54] Z. A. Suleri gave three main reasons behind the formulation of the demand for Pakistan: Muslims, having ruled India before the advent of the British, were entitled to rule at least the Muslim majority areas; Hindu and Muslim philosophies of life and ways of life were so far apart from each other that it was "impossible for them to live together"; Muslims were convinced that their economic and social

[51] *Ibid.*, pp. 252-253.

[52] Presidential Address to Pakistan Conference, Lucknow, on 29 November, 1941, *Civil and Military Gazette*, 30 November, 1941.

[53] *Civil and Military Gazette*, 21 December, 1941.

[54] El Hamza, *Pakistan : A Nation* (Lahore: 1944), pp. 98-107.

problems could be solved only by an approach to Islam, and this was impracticable until they had a State of their own.[55]

Among the politicians, Liaquat Ali Khan underlined that once the chief cause of friction—the ambition of the majority community to rule over the whole of India—was removed, there would be peace and contentment in India.[56] Carimbhoy Ibrahim regretted that the attitude of the Congress had always been communal and that it had never taken the Muslims into confidence when it wielded power. It always wanted to establish a Hindu raj by introducing the Vidya Mandir Scheme, the Wardha Scheme, the *Bande Matram* song and other Hindu practices and beliefs. Not once in any way had it shown a desire to accommodate the Muslims.[57]

For the first time in the history of modern Muslim India a serious effort was made to publicize the Muslim League stand and the Pakistan ideal. A Committee of writers of the All India Muslim League was constituted with Jamil-ud-Din Ahmad of the Aligarh Muslim University as convener. Small pamphlets were written by well-known authorities and published by Shaikh Muhammad Ashraf of Lahore under the collective title of "Pakistan Literature Series". Some of these slim volumes deserve notice. Kazi Saeed-ud-Din Ahmad, an Aligarh geographer, wrote the *Communal Pattern of India* to prove that India was not a nation and to substantiate the two-nations theory. In India he saw four clearly demarcated geographical areas—Western Region (Indus Basin), Eastern Region (Gangetic Delta), Northern Region (Upper Gangetic Basin) and the Deccan Plateau.[58] Jamil-ud-Din Ahmad brought out the significant point that a free Pakistan and a free Hindustan would live in amity and brotherhood as the ambition of domination would be eliminated. Indian unity was a myth and a falsification of history.[59]

[55] Z. A. Suleri, *The Road to Peace and Pakistan* (Lahore: 1945), p. 50.

[56] Quoted in *Pakistan* (Delhi: 1940 ed.), p. 17. This book, which is in the form of a symposium on Pakistan, was published by Adabistan and carried a foreword by K. M. Ashraf.

[57] *Ibid.*, p. 23.

[58] Saeed-ud-Din Ahmad, *The Communal Pattern of India*, Pakistan Literature Series No. 2 (Lahore: 1945 ed.).

[59] Jamil-ud-Din Ahmad, *Some Aspects of Pakistan*, Pakistan Literature Series No. 3 (Lahore: n.d.).

Perhaps the greatest achievement of the Muslim propaganda and the most signal proof of the correctness of the Muslim case was the fact that an impartial non-Muslim observer, like Ambedkar, was convinced that the Pakistan scheme, despite all its disadvantages, offered a feasible way out of the Indian political impasse. In his scholarly *Thoughts on Pakistan,* first published in 1941, he considered the Muslim League plan from all possible angles. The first part of the book stated the Muslim case, the second dealt with the Hindu case against Pakistan, and the third described some alternatives to the Pakistan scheme. He saw no substance in the Hindu objections and, as an Untouchable, shared all the Muslim fears of a caste Hindu domination. With his own and his community's experience of Brahmanical tyranny and caste rule he could not dismiss Muslim apprehensions as airily as the Congress leaders were in the habit of doing. For showing this "partiality" to the Muslims, Ambedkar was severely castigated, even abused, by the Hindus, but he persisted in his opinion and his book sold well, going into another edition in 1945.

The Muslim League propaganda was effective. To the Muslim masses it explained the inevitability of the coming of Pakistan and the dire necessity of unity and discipline. To the non-Muslims it explained, in simple and easy terms, the Muslim motive in asking for division and the historical and political justification for the demand. By and large, the propaganda was successful. It united the Muslims. If it failed to convince the Hindus, it was not so much because of its weakness as because of the inherent Hindu unwillingness to see a Muslim point of view which denied them their vainglorious ambition to rule all India.

CHAPTER 7

The Impact of the Second World War

The declaration of war

On the declaration of war by Britain against Germany the Viceroy simultaneously declared that India was at war also. This declaration was resented by various Indian political parties, which were not pleased to find that India could be committed to a war, with which it was not directly concerned, without the consent or approval of its legislatures or its leaders.

The Congress took the initiative and on 14 September, 1939 its Working Committee passed a lengthy resolution on the Viceroy's declaration of war. It insisted that the issue of war and peace for India "must be decided by the Indian people, and no outside authority can impose its decision upon them, nor can the Indian people permit their resources to be exploited for imperialist ends". If Britain was fighting for democracy it must first practise it in India. There was a bitterly sarcastic reference to the Indian Princes' declaration of support to war effort. The British Government was invited "to declare in unequivocal terms what their war aims are in regard to democracy and imperialism and the new

order that is envisaged, in particular, how these aims are going to apply to India and to be given effect to in the present". More specifically the Committee posed three questions to the Viceroy. First, what were the objectives of His Majesty's Government in the War? Secondly, what was the future that was contemplated in the constitutional sphere for India? Thirdly, in what way was the desire of India for a close and effective association with the prosecution of the war to be best satisfied? It was threatened that in case these questions were not answered to the satisfaction of the Congress, it would withdraw from all provincial governments and start an anti-war non-co-operation campaign.[1]

Before proceeding to describe the Muslim League policy on this issue, it is interesting to state briefly that the Congress demand made in the resolution of 14 September was criticized by British public opinion in clear terms. *The Times* attacked Gandhi for claiming an "all inclusive" status for the Congress; how could the British Government bind themselves to concede to what would amount to a monopoly of the representation of Indian public opinion.[2] The *Observer* believed that this was no time for playing politics and that the Congress was acting with ulterior motives.[3] The *Manchester Guardian*[4] and the *Spectator*[5] also chided the Congress for trying to drive a political bargain during the severe war crisis.

The Muslim League showed its hand on 18 September. In a clear-worded resolution the Working Committee appreciated the Viceroy's declaration that the federal scheme as embodied in the 1935 Act had been suspended. It wished that instead of being suspended the scheme should have been abandoned. It urged upon the British Government "to review and revise the entire problem of India's future constitution *de novo* in the light of experience

[1] Resolution on War Crisis passed by the Working Committee of the Indian National Congress on 14th September, 1939, Gwyer and Appadorai, *op. cit.*, vol. II, pp. 484-488.

[2] *The Times*, 10 October, 1939.

[3] *Observer*, 19 November, 1939.

[4] *Manchester Guardian*, 18 October, 1939.

[5] *Spectator*, 22 September, 1939.

gained by the working of the present provincial Constitution of India and developments that have taken place since 1935 or may take place hereafter". Though it was in favour of a free India, yet, "it is equally opposed to the domination of the Hindu majority over Musalmans and other minorities and the vassalization of Muslim India and is irrevocably opposed to any 'federal objective' which must necessarily result in a majority community rule under the guise of democracy and a parliamentary system of Government". After expressing its "deep sympathy" with Poland, England and France, it went on to state that "real and solid Muslim co-operation and support to Great Britain in this hour of her trial cannot be secured successfully if His Majesty's Government and the Viceroy are unable to secure to the Musalmans justice and fairplay in the Congress governed provinces . . .". Then came the heart of the resolution: "while the Muslim League stands for the freedom of India, the Committee further urge upon His Majesty's Government and ask for an assurance that no declaration regarding the question of constitutional advance for India should be made without the consent and approval of the All India Muslim League, nor any constitution be framed and finally adopted by His Majesty's Government and the British Parliament without such consent and approval". If full, effective and honourable co-operation of the Musalmans was desired in that grave crisis, the British Government should "take into its confidence the Muslim League which is the only organization that can speak on behalf of Muslim India".[6]

The Viceroy replied to the Congress and League demands in a long statement on 18 October, 1939. The first half of the statement contained *seriatim* a reply to the three questions asked by the Congress. The first question was: What are the objectives of His Majesty's Government in the War? To what extent are they of such a character that India, with her long history and great traditions, can, with a clear conscience, associate herself with them? To this the official reply was that His Majesty's Government "have not themselves yet defined with any ultimate precision

[6] Full text of the resolution in *India and the War: Statement issued by the Governor-General of India on 18 October, 1939*, Cmd 6121, Appendix D, pp. 17-19.

their detailed objectives in the prosecution of the war". But their motives were known to all. "We are fighting to resist aggression whether directed against ourselves or others . . . we are seeking no material advantage for ourselves. We are not aiming only at victory, but looking beyond it to the laying of a foundation of a better international system which will mean that war is not to be the inevitable lot of each succeeding generation. We . . . . long for peace, but it must be a real and settled peace, not an uneasy truce interrupted by constant alarms and threats." The second question had been: "what is the future that has been contemplated in the constitutional sphere for the Indian continent?" The answer to this, the Viceroy said, was contained in the Instrument of Instructions issued to him as Governor-General by the King Emperor in May, 1937 which laid down upon him "a direction so to exercise the trust which His Majesty has reposed in me 'that the partnership between India and the U.K., within our Empire may be furthered to the end that India may attain its due place among our Dominions' ". Moreover, at the end of war, His Majesty's Government would enter into consultation with representatives of the several communities, parties and interests in India and with the Indian Princes, with a view to securing their aid and co-operation in the framing of such modifications as may seem desirable. To the third question—in what way can the desire of India and of Indian public opinion for a closer association, and an effective association, with the prosecution of the war best be satisfied? —the Viceroy's solution was the establishment of a "consultative group", representative of all "major political parties" in British India and of the Indian Princes, and with himself as its president, which would have as its object "the association of Public interest in India with the conduct of war and with questions relating to war activities". Its personnel would be drawn from panels prepared by the various major political parties.

Having thus disposed of the three specific inquiries, the Viceroy proceeded to make three significant declarations. In an oblique reference to the Congress demand for a Constituent Assembly, he rebuked the Congress in these terms:

"There is nothing to be gained by phrases which, widely and generally expressed, contemplate a state of things which is unlikely at the present point of political development to stand the test of practical application or to result in that unified effort by all parties and all communities in India on the basis of which alone India can hope to go forward as one and to occupy the place to which her history and her destinies entitle her".

The second declaration related to the future of the federal scheme. His Majesty's Government recognized that when the time came to resume consideration of the plan for the future federal government of India, it would be necessary to reconsider in the light of the then circumstances to what extent the details of the plan embodied in the Act of 1935 remained appropriate. Thus a reconsideration of the 1935 Act was promised, though not a *de novo* reconsideration of the entire constitutional problem which the Muslim League had asked for.

The final statement was about the minorities. The Viceroy said that during his conversations with the representatives of the minorities, the latter had most strongly urged on him the "necessity of a clear assurance that full weight should be given to their views and to their interests in any modifications that may be contemplated". On that, he said, "it is unthinkable that we should now proceed to plan afresh, or to modify in any respect, any important part of India's future Constitution without again taking counsel with those who have in the recent past been so closely-associated in a like task with His Majesty's Government and with Parliament".

In conclusion he hoped that his explanations would remove misunderstandings and urged that this was not a moment at which to risk the splitting of the unity of India on the rock of particular phrases. All parties and interests, he said, should continue to aim at the unity of India even if differences of greater or less significance continued to exist.[7]

[7] *Ibid.*

The Viceroy's reply has been treated in detail because of its inherent importance. Basically it represented the official British view not only at the time when it was issued but up to the coming of Sir Stafford Cripps in March 1942. For the next two years or more the fundamental British policy on India remained unchanged. The war was being fought for democracy. India's final goal was Dominion Status. The Congress demand for a Constituent Assembly to draw up the future Constitution was impracticable. The minorities would be consulted on all future actions. The 1935 Constitution was suspended so far as it related to the central government and would be reconsidered after the war. During the war the Government was prepared to associate Indian public opinion with official war efforts. With slight changes this broad policy continued to hold the field till early 1942.

On 1 November the Viceroy had conversations with Jinnah, Gandhi and Rajendra Prasad, and told them that the Government was unable to go beyond the establishment of a "consultative group" because of the lack of prior agreement between the Hindus and the Muslims "such as would contribute to harmonious working in the Centre". He, therefore, requested his visitors to have talks among themselves on the provincial position with a view thereafter to putting forward an agreed proposal about the Centre.[8] These talks took place but failed to lead to any agreement.

On 3 November Rajendra Prasad wrote to the Viceroy charging him with sidetracking the "moral issue raised by the Congress about the clarification of the war aims". Therefore, it was impossible for the Congress to consider any subsidiary proposal. The crisis, he said, was created by the outbreak of war, was entirely political and "is not related to the communal issue in India".[9]

On 11 November, Jinnah wrote to the Viceroy,[10] saying that he had conferred with the Hindu leaders but they were not prepared

[8] Viceroy's statement of 5 November, 1939, *Speeches and Statements of the Marquess of Linlithgow, 1936-1943* (Delhi: 1945), pp. 212-213.

[9] Rajendra Prasad's letter to Lord Linlithgow of 3 November, 1939, *Indian Annual Register*, 1939, vol. II, pp. 243-244.

[10] See Gwyer and Appadorai, *op. cit.*, vol. II, p. 495, fn. 2.

to discuss the question of the reconstitution of the provincial and central governments until the British Government had complied with the Congress demand for the declaration of independence.

On 8 November, Gandhi issued a statement which confused the situation and gave a clear indication of the stubbornness of the Congress. In it he accused the British of holding India "by playing the minorities against the so-called majority" and of making "an agreed solution among the component parts well-nigh impossible".[11]

Gandhi's attitude accurately anticipated the decision of the Congress Working Committee which, on 19-23 November, flatly rejected the Viceroy's statement of 18 October as "entirely unsatisfactory" and as an attempt to create misunderstanding and to "befog the main and moral issue". It alleged that "no communal consideration arose in meeting the demand of the Congress". These are "irrelevant issues" and are aimed at maintaining imperialist domination in India "in alliance with the reactionary elements in the country". The British Government must immediately promise complete independence to India, and concede the right to frame a Constitution through an Indian Constituent Assembly which will also be competent to deal with the communal problem.[12]

To compare the Congress stand with that of the Muslims, it must be remembered that already, on 5 November, Jinnah had sent the Viceroy a list of the Muslim demands. The two most important demands were:—

1. "That as soon as circumstances may permit or immediately after the war the entire problem of India's future Constitution shall be examined and reconsidered *de novo*"; and

2. "That no declaration shall, either in principle or otherwise, be made or any Constitution be enacted by His Majesty's Government or Parliament without the approval and the consent of

[11] *Ibid.*, pp. 495-496.

[12] Full text in *Congress and the War Crisis* (Allahabad: 1940), pp. 137-138.

the two major communities in India, *viz.*, the Musalmans and the Hindus."[13]

The Viceroy's reply to these was fairly satisfactory. His answer to the first demand was that his previous declaration of 18 October "did not exclude examination of any part either of the Act of 1935 or of the policy and plans on which it is based". On the second demand he assured Jinnah that His Majesty's Government "are not under any misapprehension as to the importance of the contentment of the Muslim community to the stability and success of any constitutional developments in India. You need, therefore, have no fear that the weight which your community's position in India necessarily gives their views will be underrated."[14]

Thus the contrast between the Congress and Muslim League points of view was obvious. The Congress was showing a complete lack of realism in insisting on a declaration of war aims without any reference to the Muslim problem. In fact, in its resolution of 19-23 November, the Working Committee had accused the British Government of following the policy of divide and rule and dubbed the Muslims as "reactionary elements" in the Indian population who were siding with the British rather than with the "nationalists". At the same time the Congress leaders had refused to come to an agreement with Jinnah on the future of provincial and central governments. The two points of view could hardly be less irreconcilable.

The Congress attitude also made it clear that no *rapprochement* between it and the Viceroy was possible. A few days later, therefore, the Congress High Command issued orders for the resignation of all Congress ministries in the provinces. This decision to recall the governments, without any reference to the provincial assemblies who had elected them or to the voters whom they claimed to represent, was made by the High Command and not by a representative body. This was to have far-reaching consequences, both for the Hindus and the Muslims.

[13] Linlithgow, *op. cit.*, pp. 397-398.

[14] *Ibid.*, pp. 399-400.

The resignation of Congress ministries

To the Muslims of India, and in particular to the Muslims of the Hindu provinces, the resignation of the Congress from office was a matter of rejoicing. However, before we examine the Muslim reaction to this radical development, let us briefly consider how this news was received in Britain.

The House of Lords had debated the Congress threat of resignation on 2 November, 1939, when, on behalf of the Government, the Marquess of Salisbury had stated that the Congress was trying to force further concessions out of Britain because of the international situation. He was emphatic that not only was Britain bound in honour to protect the Muslims but not to do so in the prevailing state of international politics would be "sheer madness".[15] Later he again expressed the opinion that the real reason behind the Congress move was to wring more concessions out of Britain, and compared this with the Irish precedent.[16] The Congress decision to resign was severely criticized by many political observers. Lord Samuel, the Liberal peer, called it a "negation of democracy".[17] The Marquess of Crewe thought that the action was "somewhat more in the spirit of Berlin than in the spirit of Washington".[18] In the House of Commons, Sir Stanley Reed, with his long Indian experience, said that the Congress ministries "threw up office in obedience to the orders of a junta". If that was democracy, he commented, "then the word 'democracy' has a meaning in India which is totally different from its implications in any other part of the world".[19] Sir William Barton called it "undemocratic and foolish".[20]

Whether the Congress decision was democratic and wise or the contrary was, for the Muslims of India, not as important as the

[15] H.L. 114. 5s. 2 November, 1939, cols. 1664-1678.

[16] H.L. 116. 5s. 8 April, 1940, cols. 185-188.

[17] H.L. 119. 5s. 5 August, 1941, col. 1070.

[18] H.L. 116. 5s. 8 April, 1940, col. 184.

[19] H.C. 338. 5s. 11 September, 1942, col. 584.

[20] Sir William Barton, "Political Deadlock in India", *Empire Review*, July, 1946, pp. 12-15.

fact that by this action of the Congress they were freed from a regime of ruthless communalism which they were now finding it increasingly difficult to bear. On 2 December Jinnah issued an appeal to Muslim India to observe the 22nd of December (a Friday) as the "Day of Deliverance". It was to be a day of thanksgiving "as a mark of relief that the Congress regime has at last ceased to function". He asked all provincial, district and primary branches of the League to hold meetings on that day and pass a resolution (of which he supplied the text) saying that the Congress ministries had failed to safeguard the rights and interests of the Muslims, that their termination brought a deep sense of relief, and asking the Governors to institute inquiries into the misdeeds of the various provincial governments of the Hindu provinces.[21]

A few days later Jinnah issued a statement, clarifying his appeal of 2 December and making out a reasoned case against the Congress regime. He recalled that in December 1938, at the Patna Session, the Muslim League Council had passed a resolution to the effect that, in view of Congress tyranny and of the failure of the Governors to protect Muslim rights in the United Provinces, the Central Provinces and Bihar, the time had now come to authorise the League Working Committee "to resort to 'Direct Action' if and when necessary".[22] He clarified that the Muslim decision did not mean that they were in favour of provinces being ruled by Governors under Section 93 of the 1935 Act; in fact he said, prayer should be offered "for the establishment of truly popular ministries which would do even justice to all communities and interests". He demanded the appointment of a royal commission with a purely judicial personnel and under one of the Law Lords of the Privy Council to investigate and report upon the charges levelled against the Congress ministries by the Muslims. Finally, denying that the observation of the "Deliverance Day" might provoke communal ill-will, he asked his followers to behave with perfect calmness and appealed: "Let there be no *hartals*, processions or any such demonstrations, but let a spirit of humility and

[21] Jinnah's appeal of 2 December, 1939: Jamil-ud-Din Ahmad, *Some Recent Speeches and Writings of Mr. Jinnah, op. cit.*, vol. I, pp. 110-112.

[22] For full text of this resolution see *Resolutions of the All India Muslim League from October, 1937 to December, 1938, op. cit.*, pp. 56-57.

a mood of reflection prevail. There is relief and gratitude in our hearts, not joy and triumph."[23]

The last sentence quoted above makes nonsense of the general charge made against Jinnah that he was full of hatred and venom and deliberately provoked Hindu-Muslim conflict. If any further evidence is required on this point it is supplied by the peaceful and disciplined way in which the "Deliverance Day" was observed. There were no communal frays, no "Hindu baiting", no leering expression of triumph. On the other hand, the day passed off serenely and soberly with Muslims thanking God for His grace in protecting them from Congress oppression and praying to Him for the solidarity and progress of the Muslim nation. It is significant that the day was celebrated not only by the Muslims but also by those Hindus and Parsis who were not happy with the Congress rule.[24] Large numbers of Christians and hundreds of thousands of untouchables joined in the demonstrations.[25] In the words of the *Round Table* this action clearly showed the "depths of communal feelings".[26] Sir Alfred Watson, a former editor of the *Statesman* of Calcutta, was far-seeing enough to comment that it postponed the hope of India's attainment of full nationhood.[27] The Muslim opinion of Congress rule is attested by a reputable British historian: "by the end of 1939 it was widely believed that, if the Congress Governments had lasted much longer, communal fighting would have broken out on an unprecedented scale. The idea of a 'civil war' had been an almost inconceivable idea so long as British rule was still unquestioned, but now many Indians were saying that it was coming."[28]

It may be relevant here to mention the nature of the Congress demand for a Constituent Assembly. In fact, the idea of having a

[23] Full text of statement in Jamil-ud-Din Ahmad, *op. cit.*, pp. 112-120.

[24] See *The Times*, 27 December, 1939.

[25] S. Srinivasan, "Communal Problem in India", *Empire Review*, January, 1941, p. 25.

[26] *Round Table*, March, 1940, p. 398.

[27] Sir Alfred Watson, letter to *Manchester Guardian*, 14 December, 1939.

[28] R. Coupland, *India: A Restatement* (London: 1945), p. 187.

Constituent Assembly in India to frame the Constitution was evolved by Nehru, Cripps and Lord Attlee before the war.[29] This suggestion was, for obvious reasons, unacceptable to the Muslims, for any such body elected on an all India basis was bound to be predominantly Hindu and, therefore, incapable of safeguarding Muslim interests or satisfying their demands. *The Times* was prophetic in its criticism of this Hindu scheme: "The convening of such a Constituent Assembly now, or even after the war, could only prove to the world the extent of Indian political disunity, and there are many who hold that an attempt to solve the communal problem on a simple majority basis would split India from top to bottom, perhaps irretrievably."[30] It went on to say that the working of Congress ministries had already intensified communal bitterness, and it was illogical for Congress leaders to assume that an even greater extension of majority rule would be likely to lessen communalism in the future.[31] The *Economist* pointed out that the significance of the Congress demand for a Constituent Assembly was that it would give the Hindu majority the power to impose a Constitution on the minorities.[32]

With the advantage of hind sight we can now clearly see that by the close of the year 1939 Muslim patience with Congress tactics had very nearly come to the end of its tether. The 22nd day of December, 1939, was, therefore, a symbol of Indian disunity—irretrievable and irrevocable. Losing all hopes of a place in the Indian sun, the Muslim masses began to think of having a sun of their own. A feeling of revulsion for Hindu rule awakened in their hearts the desire for Muslim rule. Muslim separatism was the logical result of Hindu intolerance. The idea of Pakistan was capturing popular imagination.

The Muslims had tried to seek an understanding that would give them a sense of security. All such attempts had been frustrated because the Congress was suffering from an incorrigible

[29] C. R. Attlee, *As It Happened* (London): 1954), p. 181.

[30] *The Times*, 5 December, 1939.

[31] *Ibid.*

[32] For an elaboration of this idea see the *Economist*, 16 December, 1939.

dislike for sharing power with any other group. This attitude was based upon the conviction that the massive support of the numerically superior Hindus made its position invincible. In its dealings with the Muslims it was unable to rise higher than the general Hindu hatred of the Muslims nursed for long because of the Muslim conquest, which led the Hindus to think of Muslim presence in the subcontinent as an affront to Hindu self-respect and dignity. The Muslims had little comfort in the thought that Hindu political attitudes were deeply embedded in Hindu intolerance of Muslim traditions, culture and mores. The Hindus proved themselves averse to principles of liberal governance. The Muslim foretaste of Hindu rule was unpleasant and inspired the worst fears about Hindu majority rule. If the Hindus could behave like this when the real authority was still in the hands of the British and the battle of freedom yet to be brought to a successful end, the Muslims dreaded to think of a future when the Hindus would become the unquestioned rulers of the destinies of the entire subcontinent. Any efforts of the Muslims to improve their position met with fierce and arrogant opposition. Thus the Congress itself drove them from one position to another until they reached a point of no return.

Gandhi's totalitarian attitude

We have already described how the coming of war affected Indian politics, and particularly Muslim politics, and how Jinnah-Congress and Jinnah-Viceroy negotiations towards the end of 1939 ended in a sorry stalemate. The new year brought no new developments. Both the Muslim League and the Congress were not wholly of one mind. It will be wrong and misleading to say that there was a split or difference of opinion within the League. But there certainly was a difference of feeling, however politely it was expressed. The most prominent member of the Muslim League to diverge from the generally accepted line of thought was Sir Sikandar Hayat Khan, the soldier Premier of the Panjab. He wanted all the communities to call a truce till the danger from the common enemy was averted.[33] He suggested, in May, 1940, the

[33] Statement of 11 May, 1940. *Civil and Military Gazette*, 12 May, 1940.

summoning of a small representative body, including the former and present Chief Ministers of all provinces, to discuss the outlines of a future Constitution to secure Dominion Status for the subcontinent.[34] He deplored the fact that Indian leaders were not facing realities and warned them that in the absence of a settlement among them they would irreparably injure the country's interests.[35] He could not therefore think in terms of a single Constitution for the entire subcontinent. But these appeals did not represent the mind of the Muslim League. Jinnah was, at this time, engaged in evolving a scheme of division and at the same time negotiating with the British on the one hand and the Hindus on the other. He believed that the question of the future of the Indian Muslims was much more important than a temporary gain on the political chess-board. The two-nations theory had been proclaimed and its logical conclusion, partition, accepted and adopted. Nor could he participate in an all India Government—any all India Government would have been a reversal of his basic policy and thought. And, anyway, what kind of government was then in existence? The Central Government was not federal, not even of the kind which might once have been acceptable to Jinnah. He made it plain that participation in the working of a government committed to a united India would prejudice his claim that the Muslims were a separate nation entitled to an equal treatment with the Hindus. To join such a government would mean his willingness to establish Hindu raj. And the fact that this idea was not a fantasy of the Muslims was demonstrated by Gandhi himself.

In June, 1940 Gandhi wrote an article in the *Harijan* which scouted all offers of agreement and repudiated the very idea of an inter-party reconciliation. Let Gandhi speak for himself:—

"Public and private appeals are being made to me to call all parties together and arrive at a common agreement, and then, they say, we shall get what we want from Great Britain. These good friends forget one central fact. The Congress, *which professes to speak for India*, and wants unadulterated independence, cannot

[34] Statement of 23 May, 1940. *Civil and Military Gazette*, 24 May, 1940.

[35] Statement of 19 June, 1940. *Civil and Military Gazette*, 20 June, 1940.

strike a common measure of agreement with those who do not .....The British Government would not ask for a common agreement, if they recognized any one party to be strong enough to take delivery. The Congress, it must be admitted, has not that strength today. It has come to its present position in the face of opposition. If it does not weaken and has enough patience, it will develop sufficient strength to take delivery. *It is an illusion created by ourselves that we must come to an agreement with all parties before we can make any progress.* There is only one democratic, elected political organization, *i.e.*, the Congress. All the others are self-appointed or elected on a sectional basis. Thus for the present purpose there are only two parties—the Congress and those who side with the Congress, and the parties who do not. Between the two there is no meeting ground without the one or the other surrendering its purpose."[36]

This was totalitarianism—pure and undiluted. The Congress was to take delivery from the British, if not now, in the near future. Other parties did not count. They did not matter. The Congress was the only party in the field. It spoke for all India. It would not wait for an agreement with others. It stood alone—proud and patrician. This was a challenge to Britain. But it was a greater challenge to the Muslims. If Gandhi was right, the Muslims stood nowhere. The Congress would negotiate with Britain and Muslims would be sold like chattel in the market place of politics.

Jinnah took up this challenge. Gandhi insisted upon the right of the majority to rule. Jinnah answered him with the only logical alternative. The Hindus were in a majority in the greater part of India and therefore entitled to speak for it. But the Muslims were a nation in themselves. India was not a nation. Nobody could speak for all India. As a nation the Muslims could speak for themselves—for Muslim India. As such they were entitled to equal treatment with the other nation—the Hindus.

[36] M. K. Gandhi, "Two Parties", *Harijan*, 15 June, 1940. *Italics* not in the original. Gandhi's mind was made up long ago, after his participation in the Round Table Conference, *vide supra* Chapter 3, *fn*. 33.

This clash between the two leaders produced two results. In the first place, it enhanced Jinnah's authority with the Muslim masses. If Gandhi was the supreme leader of the Hindus, the Qaid-i-Azam had fast grown to an equal position among the Muslims. Recalcitrant or hesitant Muslim politicians were strictly controlled and at times rebuked. The Muslim League Working Committee endorsed Jinnah's policy and authorized him to proceed with his negotiations with the Viceroy. No other member of the Committee could now negotiate with Congress leaders without Jinnah's permission.[37] Muslims could not serve on war committees pending further instructions from Jinnah.[38]

In the second place, Jinnah hardened his tone in his conversations with the Viceroy. The Muslim League must be firm with the Government, lest the Congress, in pursuance of the policy enunciated by Gandhi, persuade the Government to acknowledge it as the sole spokesman of India. So Jinnah had an interview with the Viceroy on 27 June, 1940, and at the latter's request put forward the Muslim League's terms for co-operation with the government. These terms were to the following effect:

The government should not make any pronouncement which would militate against the basis of the Lahore Resolution. The Government should give the Muslims a categorical assurance that no interim or final scheme of constitution would be adopted without the previous approval and consent of Muslim India. Muslim leadership must be treated as equals and should have an equal share in the authority and control of the Governments, Central and Provincial. Provisionally and during the period of war, three steps should be taken.

1. The Viceroy's Council should be enlarged so that Muslim representation must be equal to that of the Hindus if the Congress joins in, otherwise Muslims should have the majority of the additional members.

[37] *Resolutions of the All India Muslim League from April, 1940 to April, 1941, op. cit.*, Resolution No. 1, pp. 1-4 and Resolution No. 3, pp. 4-5.

[38] *Ibid.*, Resolution No. 2, p. 4.

2. In the provinces under Governors' rule, non-official advisers should be appointed of whom a majority should be the representatives of Muslims.

3. There should be a War Council consisting of not less than 15 members to be presided over by the Viceroy. It would review the general situation and advise the Government with regard to matters in connection with the prosecution of the war generally and, in particular, the fullest possible development of defence and finance and to make a thorough economic and industrial drive. Here again Muslim representation should be equal to that of the Hindus if the Congress comes in and preponderant if it does not. Finally, the Muslim League shall choose the Muslim representatives on the proposed War Council and the Viceroy's Council and on the board of non-official advisers to the provincial Governors.[39]

The Viceroy expressed his views on Jinnah's tentative proposals in his letter of 6 July. As for the expansion of the Viceroy's Council and Muslim representation on it, he agreed with the expansion but not with the Muslim share in it. "It is not a case of striking a balance between the different interests or preserving the proportions between the important parties." But "I readily accept the importance, in the event of any expansion, of securing adequate representation of Muslim interests, and that is a point which I would bear in mind". He also rejected the idea of Jinnah nominating the Muslim members of the Council. That was the privilege of the Secretary of State for India and members of the Council could not be the nominees of political parties. The Viceroy was also averse to the appointment of non-official advisers to provincial Governors. The idea of a War Council was "well worth while considering though details would have to be worked out".[40]

Jinnah's conditions were thus rejected. But he was too well-schooled a politician to be disappointed. In political negotiations success comes at the end of a long and dusty road. And it was yet only the beginning of a long series of conversations.

[39] Gwyer and Appadorai, *op. cit.*, pp. 502-503.
[40] *Ibid.*, pp. 503-504.

The British offer of August 1940

The British Government was not disheartened by the lack of agreement either between the Congress and the League or between the two of them on the one hand and the Viceroy on the other. On 8 August, 1940, His Majesty's Government issued what came to be popularly known as the August offer. The white paper embodying the offer began by asserting that the Government felt that it should not, because of differences, postpone either the expansion of the Viceroy's Council or the establishment of a body which would more closely associate Indian public opinion with the conduct of the war. To remove any doubts two points were clarified. In the first place, full weight was to be given to the views of minorities in any revision of the Constitution. "It goes without saying that they [His Majesty's Government] could not contemplate transfer of their present responsibilities for the peace and welfare of India to any system of government whose authority is directly denied by large and powerful elements in India's national life. Nor could they be parties to the coercion of such elements into admission to such a Government." In the second place the declaration sympathized with the idea of an Indian constituent assembly and undertook to assent to the setting up of "a body representative of the principal elements in India's national life in order to devise the framework of the new Constitution". But two conditions went with this promise. First, this body would only be set up after the conclusion of the war. Secondly, the promise was "subject to the due fulfilment of the obligations which Great Britain's long connection with India has imposed on her and for which His Majesty's Government cannot divest themselves of responsibility". Before such a constituent assembly came into existence and for the duration of the war, it was hoped that all parties and communities in India would co-operate in the war effort and by thus working together pave the way for India's attainment of free and equal partnership in the British Commonwealth.[41]

This statement contained some new ideas. In the first place, for the first time in Indo-British history, a constituent assembly

[41] *India and the War: statement issued with the authority of His Majesty's Government by the Governor-General on August, 8, 1940.* Cmd. 6219.

composed of Indians was promised. So far the will of the British Parliament had been supreme, and the Government of India Act, 1935, had only confirmed this supremacy. Now the conception of an Indian constitution-making body was not only supported, but an undertaking was given to set up such an assembly immediately after the cessation of hostilities. In the second place, and allied to this, was the clear repudiation of the Congress idea of a constituent assembly. The assembly that His Majesty's Government promised to bring into being was to be one whose establishment did not adversely affect the rights of the minorities and the Princes. In the third place, Dominion Status was still assumed to be the goal of India. In his explanatory speech in the House of Commons, Amery, the Secretary of State for India, declared that the status of a Dominion "is one not inferior to that of nations that perforce stand alone, but superior...... There is no higher status in the world".[42]

In the fourth place, the fear of the Muslims, and that of all other minorities, that the Government might surrender to Congress demands was set at rest. Whatever the pressure from the Congress the Government was not to acquiesce in the imposition of a Congress raj. No further political move or development which did not satisfy the minorities was to be approved by His Majesty's Government. This was not, as the Congress leaders declared *ad nauseum,* the giving of a veto to minorities on constitutional advance. In the words of the Secretary of State for India, "agreement means not veto by any element, but compromise; and willingness to compromise, in India as elsewhere, is an essential test of that sense of responsibility on which free government must be based".[43]

But there were also some unwelcome aspects of the offer. And this was well brought out in the resolutions of the League and the Congress on it.

Jinnah met the Viceroy on 12 and 14 August and the two exchanged notes on the proposals. But the final decision was taken

[42] H.C. 364. 5s. Col. 876.
[43] H.C. 364. 5s. Col. 878.

by the Working Committee of the Muslim League which sat at Bombay on 1 and 2 September. The Committee noted with satisfaction that the Government has "on the whole practically met the demand of the Muslim League for a clear assurance" to the Muslims that no future Constitution would be adopted by the Government without their approval and consent.[44] At the same sitting, the Committee thought it proper to declare that the League stood by the Lahore Resolution and the basic principles underlying its terms, that the Muslims of India were "a nation by themselves", and that they alone "are the final judges and arbiters of their own future destiny".[45] However, the British offer regarding interim arrangements was "most unsatisfactory" and did not meet the requirements or the spirit indicated in the Muslim League Working Committee's resolution of 16 June, 1940. Five reasons were given for not accepting it. First, neither the League President nor the Working Committee were consulted as to the number proposed to be added to the Viceroy's Executive Council. Secondly, the Committee was not informed of the manner in which the Council was to be re-constituted. Thirdly, the Committee had no information as to the other parties with whom the League would be called upon to work. Fourthly, the League had yet no idea about the manner in which portfolios were to be assigned to the new members of the Council. Finally, the proposal on the War Advisory Council was vague and obscure.[46]

The Committee authorized Jinnah to seek clarification from the Viceroy regarding the proposed Constitution, the composition and functions of the proposed War Council and also the expansion of the Viceroy's Executive Council.

Jinnah had another interview with the Viceroy on 24 September and the next day the Viceroy sent a formal reply to League inquiries. This discussion and the letter were considered by the Working Committee on 28 September at New Delhi. The offer was not acceptable, because the inclusion of only two League

[44] *Resolutions of the All India Muslim League from April, 1940 to April, 1941, op. cit.*, Resolution No. 2, pp. 10-11.

[45] *Ibid.*, Resolution No. 3, pp. 11-12.

[46] *Ibid.*, Resolution No. 4, pp. 12-15.

representatives in the Council would not give it "any real and substantial share in the authority of the Government at the Centre", because the Government was not willing to appoint non-official advisers in the Governor-ruled provinces, and because most of the objections raised in the resolution of 1-2 September had not been met.[47]

Thus the Muslim League neither accepted nor rejected the offer. In his presidential address to the Bengal Provincial Muslim League Conference at Serajgunj on 15 February, 1942, Jinnah referring to the August offer, said that the League had accepted it "in principle" though the details were not satisfactory.[48]

The Congress reaction to the offer was violent in the extreme. On 10 August A. K. Azad, the President of the Congress, refused to see the Viceroy to discuss the offer, for it was "totally at variance" with Congress policy.[49] Meeting in the same uncompromising mood on 18-22 August, the Congress Working Committee rejected the offer in clear terms. The Government, it said, did not want to part with power, and this was "a direct encouragement and incitement to civil discord and strife". The issue of the minorities had been made into an insuperable barrier to India's progress. The resolution ended on a note of threat: the Congress would have to take firm action.[50]

The Congress claimed to speak for all India and rejected the offer under that pretence. But what it ignored was the fact that by harping continually on its all-embracing character it was more and more pushing the minorities into justifiable intransigence. If only the Congress could, in fact, speak, as it professed to speak, for all India, its rejection would have at least made sense. But its refusal to come to terms with, or even recognize the existence of, the minorities and at the same time to claim the allegiance of all political elements in India, was hardly consistent. And when, on

[47] *Ibid.*, Resolution No. 1 of 28 September, 1940, pp. 20-22.

[48] Jamil-ud-Din Ahmad, *op. cit.*, vol. I, pp. 386-387.

[49] *Indian Annual Register*, 1940, vol. II, p. 201.

[50] *Ibid.*, vol. II, pp. 196-198. This threat is examined in detail in the following section.

top of that, it charged the Government with encouraging civil strife, even the greatest enemy of the British could not agree with the Congress.

The Viceroy regretted that his offer had not been accepted by all the parties, though he had the satisfaction of knowing that it had met with the support of a large body of opinion. He still thought that its acceptance would have afforded "the most hopeful contribution which Indian leaders could make at this critical time towards the preservation of Indian unity, and towards an agreed constitutional settlement for the future". The offer was not withdrawn and could be implemented as soon as "a sufficient degree of representative support" was forthcoming. For the time being, however, the Government could not proceed with the expansion of the Executive Council or the establishment of the War Advisory Council.[51]

The August offer thus produced no practical or immediate results. But in terms of ultimate results it was a considerable gain for the Muslims. His Majesty's Government had readily agreed to give the important undertaking that Muslim satisfaction would be sought in any future constitutional arrangement, interim or final. To have extracted this unequivocal declaration within less than a year of the beginning of the war and within five months of the Lahore session was no mean achievement of the Muslim League. But it should also be remembered that the Congress played a significant part in this achievement. By its conduct in political bargaining and its attitude towards the Muslims, it had helped in convincing the Government that it would hardly be in the fitness of things to leave the fate of the minorities in the hands of Congress leaders.

Congress civil disobedience movement and the Muslims

So far the Congress had been negotiating with and threatening the British Government in turns. It had, however, taken no definite

[51] Viceroy's address to the Central Legislature of 20 November, 1940; extract quoted in Gwyer and Appadorai, *op. cit.*, vol. II, p. 509.

steps beyond talking of independence and the establishment of a "national Government" before the conclusion of the war. It took no cognizance of the feelings of other political groups and communities. By the autumn of 1940, Gandhi had brought the Congress to a point where a definite stand had to be taken.

Gandhi met Lord Linlithgow on 27 and 30 September, 1940. The Viceroy, appreciative of Gandhi's professed views on war and violence, informed him how pacifists were treated in Britain. He explained that the conscientious objector may not fight and is allowed to profess his faith in public, but he was not permitted to persuade others to oppose war or obstruct it. Similar concession could be given to Indian pacifists. But this was not enough for the Congress leader, who wanted that all Indians must be free "to call upon people throughout the country to refrain from assisting India's war effort". This the Viceroy obviously could not concede. On 13 October, Gandhi outlined his line of action in a meeting of the Congress Working Committee which endorsed it and promised him "the fullest co-operation" in the prosecution of his plans.

The plan was to start "individual" *satyagrah*, whereby certain individuals, chosen by Gandhi in his discretion, would offer civil disobedience and court arrest. The first person to offer *satyagrah* under Gandhi's direction was Vinoba Bhave, who made an anti-war speech on 17 October. On 17 November the second stage of the campaign began. Gandhi termed it "representative *satyagrah*". Individuals were chosen from groups, they roamed in the streets, shouted anti-war slogans and were arrested. By the end of the year about five to six hundred persons had been arrested and sent to prison. They included top-most leaders like Rajagopalacharia and Azad. But the campaign "provoked little public excitement".[52] If the idea behind the campaign was slowly to develop a popular and mass movement so that it might lead up to a national revolt, the *satyagrah* was a total failure. Every day the normal life of

[52] R. Coupland, *Indian Politics, 1936-1942, op. cit.*, p. 249. *Satyagrah* = literally, endeavour in (pursuit of) truth, a term used by Gandhi and his followers for passive resistance. *Satyagrahi* = a person who offers passive resistance.

the Indians went on at its accustomed pace. There was no disorganization, no mass protests, no general discontent among the populace. The average Hindu, especially the average Congressman, felt as if political thinking and action could safely be left to Gandhi and his elite advisers.

Nor was Gandhi's non-violence in word and deed followed by all. One example will illustrate this. Dev Raj Sethi, a Congress Member of the Legislative Assembly of the Panjab, was selected by Gandhi for offering *satyagrah* on 11 December, 1940. But he made two powerful speeches before that date and was arrested on 7 December. In his second speech he had exhorted the audience to emulate the spirit of those brave German pilots who were then bombing London. Such sentiments may or may not have been wicked—as the District Magistrate trying Sethi described them—but they were certainly not in keeping with Gandhi's professed non-violence and hatred of war of any kind. Or, perhaps they were, for had not Gandhi extolled Bhagat Singh to the skies at the Karachi Congress Session of 1931 and called him a martyr? Bhagat Singh, it may be recalled, had thrown a bomb into the central legislature where many Indians would have been slaughtered; compared to him the German pilots were greater martyrs, for they were engaged in killing only the British imperialists!

It is significant that the campaign made the least fuss or commotion in the Muslim provinces. In Bengal people were little attracted by these occurrences. The North-West Frontier Province was the least affected in the whole of India. At the outset Khan Sahib had been reluctant to participate in the movement, and when he did so on 14 December, his arrest did not create more than a ripple on the calm surface of public feeling or opinion.

It was probably the apathy shown by the public that persuaded Gandhi, in April 1941, to throw the *satyagrah* open to all Congressmen. By the middle of the year the peak had been reached: 20,000 had been convicted and at one time there were 14,000 in prison. But by no standard was this a remarkable achievement. In proportion to the total Congress membership

this was but an insignificant figure. Many Congressmen concluded from this that the movement was dying down and their enthusiasm also decreased. On 15 April the *Hindu* called for a cessation of the campaign. By October only 5,600 persons remained in prison. Those who were released did not, as Gandhi had hoped, care to re-court arrest. Gradually the number of *satyagrahis* dwindled to insignificant proportions though the movement lingered on for another few months. But it was hardly more than a token gesture of defiance, not a zealous national protest.

The Muslims were undoubtedly opposed to the Congress policy. This opposition is easy to explain. The Congress policy towards the war was, to put it mildly, different from the League's. The Congress was uncompromisingly against the war and had given a point-blank refusal to any offer of co-operation until its inflexible demand of independence—right then and in full measure—was conceded. The League was also opposed to the war, but in much milder terms and to a much smaller extent. For this there were five reasons. First, why should the Muslims be eager to change one master for another, particularly when the aspiring new master had demonstrated its innate hostility to them? Secondly, the League wanted time to consolidate its strength and to popularize the idea of Pakistan. It was in no desperate hurry for "independence", for a quick decision on this point might well have left the Pakistan issue in the lurch. Thirdly, it was good strategy, from the Muslim point of view, not to have a complete break with the British Government. A minority generally tends to be less extreme in opposition to the rulers than the majority, particularly when the majority makes no secret of its future designs to rule over the minority. And here we must remember how completely the Congress rule of 1937-39 had alienated the Muslims. Fourthly the Congress campaign of civil disobedience was palpably ill-conceived. It was clear even to the meanest political intelligence that no amount of movements—violent or non-violent—were going to persuade the British to grant India independence in the middle of a life-and-death struggle. This was the cardinal psychological error that Gandhi made. He underrated the great danger that the war offered to British national existence and he overrated his own

nuisance value. And, finally, the main Muslim demand—that no major constitutional advance should be contemplated or enacted without reference to their interests—had been clearly conceded in both the official statements of 18 October, 1939, and 8 August, 1940.

The Muslim League, therefore, did not look kindly on the *satyagrah* movement launched by Gandhi. In November, 1940, in a speech delivered at Delhi, Jinnah ridiculed the Congress claim that its campaign had been launched for the freedom and independence of India. It was clear to him, as it was clear to the British Government, that it was intended "to coerce the British Government to recognize the Congress as the only authoritative and representative organization of the people of India". The Congress attitude was: "Come to a settlement with us. Come to terms with us and ignore the Musalmans and other minorities." The Congress wanted power, including the power to coerce other communities. It was trying to coerce the British Government to surrender power to it. This was a "process of blackmail. The Government know it and we know it."[53]

This opinion was endorsed by the Council of the Muslim League which passed a resolution in February, 1941 on the Congress movement. It was laid down that the Congress campaign was "designed to bring pressure on the British Government to resile from the position it has taken in regard to the future Constitution of India relating to the Muslims and other minorities and concede to the Congress demands which are fundamentally opposed by Muslim India". It recalled that in November, 1939, Gandhi had himself written in the *Harijan* that "So long as there is no workable arrangement with the Muslim League, civil resistance must involve resistance against the League." This, said the resolution, clearly indicated the intention of the Congress in starting the movement. It warned the Government that if it conceded anything to the Congress which "adversely affects or militates against the Muslim demands", the Muslim League would resist it and, if the situation demanded, the League would "not hesitate to intervene and play such part in the struggle as may

[53] Jamil-ud-Din Ahmad, *op. cit.*, pp. 200-205.

be necessary for the protection of the rights and interests of the Musalmans of this country".[54]

In its Madras annual session of April, 1941, the Muslim League again reiterated that the Congress civil resistance was aimed at coercing the British Government into transferring sovereign power to the Hindus and "thus relegate the Muslim nation of 100 millions and the Indian minorities to the status of mere subjects of Hindu raj throughout the country". It warned the Government that any constitutional change enacted under Congress threat would constitute "a flagrant breach of faith" and would be "contrary to the solemn declarations and promises" made by His Majesty's Government from time to time. If any such weakness was shown by the British Government or the Viceroy, the Muslims reserved to themselves the right "to resort to every measure and method to resist it with all the power they can command".[55]

The Liberal Party proposals of 1941

The policies of the two major parties, the Congress and the Muslim League, have been dealt with in the preceding pages. Before we proceed to discuss the next constitutional and political development, it is advisable as well as interesting to look briefly at the attitude of the National Liberal Federation. The Liberals formed a small minority in public life as well as in the legislatures. But some of them, like Sir Tej Bahadur Sapru, Sir Chimanlal H. Setalvad and Sir Srinavasa Sastri, were men of great experience and considerable ability. They were, so to speak, considered outside the everyday "communal" politics, and therefore it might have been expected that their deliberations could show a way out of the impasse.

In their Calcutta annual session of December, 1940 the Liberals laid down their principles of policy which they thought could

[54] Resolution No. 6 of the Council of the All India Muslim League of 23 February, 1941; text in *Resolutions of the All India Muslim League from April, 1940 to April, 1941, op. cit.*, pp. 32-34.

[55] Full text in *ibid.*, pp. 43-44. This resolution was proposed by I. I. Chundrigar.

serve as the basis of a solution. These proposals may be summarized thus: (1) The war effort should be whole-heartedly supported; (2) Britain should immediately declare that India would be a Dominion within two years of the end of the war; (3) The Central Government should be re-constituted so that the Viceroy was the constitutional head of a "fully national" government; (4) Partition should be ruled out and communal electorates should be gradually eliminated; (5) The Congress civil disobedience movement was deplorable.[56]

In March, 1941, the Liberals called a "non-party conference" at Bombay. It was dominated by Hindu Liberals, and the three or four Muslims who participated could not speak for their community. It was significant that this Conference was dominated by the Hindu Mahasabha. Three leading Mahasabhites—Savarkar, Moonje and Mookerji—attended. Sapru presided and Sir Nripendra Sircar moved the following resolution: ". . . . . this Conference is of the opinion that the whole Executive Council should consist of non-official Indians drawn from important elements in the public life of the country . . . . . the reconstructed Government should not merely be a collection of departmental heads, but should deal with all important matters of policy on a basis of joint and collective responsibility. In regard to all inter-imperial and international matters, the reconstructed Government should be treated on the same footing as the Dominion Governments. . . . [Simultaneously His Majesty's Government should make a declaration] that within a specified time limit after the conclusion of the war India will enjoy the same measure of freedom as will be enjoyed by Britain and the Dominions".[57]

On 29 June the Council of the National Liberal Federation met at Poona, criticized the British Government for not having accepted the Liberal solution, deplored the Secretary of State's alleged refusal to advance till the Muslim League had agreed,

[56] *Indian Annual Register*, 1941, vol. II, pp. 309-315.

[57] Full text in M. Gwyer and A. Appadorai, *op. cit.*, vol. II, pp. 510-511, which also gives extracts from Sapru's presidential speech.

and expressed "unqualified condemnation of the scheme of partitioning India which is known as Pakistan" and called upon all Indians to resist it.[58]

Some features of the Sapru proposals merit analysis. First of all, it was not a "non-party" conference. It is true that both the Congress and the League were absent, but eight distinct groups were present: the Hindu Mahasabha, the Congress Nationalist Party, the Hindu League, the Liberal Federation, the Sikhs, the Indian Christians, the Parsis, and the scheduled-castes. Secondly, the absence of the Congress and the Muslim League gave an air of unreality to the proceedings of the Conference; it would not be an exaggeration to say that the real political India was not represented at all (only in *that* sense it was really a "non-party" Conference). Thirdly, the Conference in its resolutions, and Sapru in his presidential speeches, went out of their way to criticise the Pakistan plan. If the Conference was called to bring about a *rapprochement* between the Hindus and the Muslims, this could hardly be achieved by castigating, without argument, the professed aim of one of the parties to the dispute. And asking the Indians to resist the partition was nothing short of declaring war upon one of the major groups. Condemning Pakistan and not saying a word about Congress plans was to take sides. Obviously, therefore, the Conference could not be said to be a neutral body aiming at suggesting a solution, but a partisan attempt at bringing about a one-sided agreement. Fourthly, the Conference demanded a "national government" with the Viceroy as a mere constitutional head: a demand which made nonsense of the Government of India Act of 1935. A man of Sapru's constitutional experience should have known that any such change was impossible without radical amendments in the 1935 Constitution. Fifthly, Sapru's proposal was precisely the demand of the Congress. The Congress had started a civil resistance campaign because its demand for an immediate "national government" had not been acceptable to the British Government. And, finally, by giving the Hindu Mahasabha a predominant voice in the counsels of the Conference, the Liberals had driven the last nail into the coffin

[58] *Indian Annual Register*, 1941 vol. II, p. 333.

of their pretence of neutrality. The Conference proposals carried an unmistakable impress of the Hindu Mahasabha's policy. And in spite of this the Hindu Mahasabha later issued a statement to the effect that they were not committed to the proposals.[59] It is difficult to see how the Sapru proposals differed from the Congress demands, and why the Liberals expected the British Government and the Muslims to accept them while they had earlier rejected the Congress overtures of the same nature. It must be remembered that the *Hindu* favourably commented on the proposals in these words; "These proposals not only constitute a considerable approximation to the Congress demand but they represent a very substantial agreement amongst all the progressive elements of the country."[60]

The Muslim reaction to the Liberal "non-party Conference" was the same as to the Congress demand for immediate independence. Jinnah pointed out that the Sapru recommendations met the Congress Poona demand for a "national government" at the centre. They "stood for nothing but an immediate, united and democratic government at the centre with the pretence that only for the duration of the war it would be responsible to the Crown and would assume the permanent character of a Dominion Government after a certain period by virtue of the new declaration". Acceptance of this would be a complete cancellation of the British declaration of 8 August, 1940.[61]

It remains to notice the British official attitude to the Liberal proposals. On 22 Apri', 1941, L. S. Amery, the Secretary of State for India, spoke in the House of Commons on this point. He began by pointing out that the Sapru scheme amounted not to a modification of the prevailing form of government but to its replacement by an entirely different type of government. This was not only inadvisable in the midst of a grave war, but would also

[59] India Office, *Review of Constitutional Developments in India from the Outbreak of War till July, 1941* (London: 1941), p. 10

[60] Quoted by Jinnah in his statement of 4 May, 1941, Jamil-ud-Din Ahmad, *op. cit.*, p. 307.

[61] Jinnah's statement on the Sapru Proposals circulated to all branches of the All India Muslim League in May, 1941, *ibid.*, p. 314-319.

create "internal constitutional problems of no little difficulty" both in relation to the provinces and to the Princes. His second point of criticism was that the proposals were "directed to the wrong address". There was a constitutional impasse in India not because Britain did not want to give India her independence, but because India was not united in her demand. The difficulty of a Hindu-Muslim disagreement on their relative claims was not lessened but enhanced by a "suggestion of new type of Executive with more extensive powers". It would be difficult to persuade the Parliament to confer Dominion status on a body constituted on the lines suggested by the non-party conference. His advice to men like Sapru was that they should concentrate their attention on bringing about an agreement between the Congress and the Muslim League, either by using their powers of persuasion with the existing party leaders or by building up a strong central party which could speak for India without going to the extremes.[62]

In reply to this speech Gandhi made a bitter pronouncement on the Hindu-Muslim problem. Amery had insulted Indian intelligence, wrote Gandhi, by saying that freedom was being delayed because of disunity in India. "It is the British statesmen who are responsible for the divisions in India's ranks and the divisions will continue so long as the British sword holds India under bondage. I admit that there is unfortunately an unbridgeable gulf between the Congress and the Muslim League. Why do not British statesmen admit that it is after all a domestic quarrel? *Let them withdraw from India*, and I promise that the Congress and the League and all other parties will find it to their interest to come together and devise a home-made solution for the government of India. It may not be scientific; it may not be after any Western pattern; but it will be durable. It may be that before we come to that happy state of affairs, *we may have to fight amongst ourselves*. But, if we agree not to invite the assistance of any outside Power, the trouble will last perhaps a fortnight."[63] In other words, if the British withdrew, the Hindus would be sufficient-

[62] H.C. 371. 5s., 22 April, 1941, cols. 53-57. Also printed in L.S. Amery, *India and Freedom* (London: 1942), pp. 73-74.

[63] *Indian Annual Register*, 1941, vol. I, p. 327, *italics* in the original.

ly powerful to bring the minorities, especially the Muslims, to their senses. Such statements could not gain their confidence.

Gandhi went on repeating this argument till July, 1947.

The Defence Council episode

In the summer of 1941 occurred an event which showed to what remarkable extent Jinnah had grown in importance as the leader of the Muslims of India since the anxious days of 1936-37.

On 20 July, 1941, Sir Roger Lumely, the Governor of Bombay, wrote a letter to Jinnah conveying to him a message from the Viceroy to the effect that with the approval of His Majesty's Government, the Viceroy had decided to expand his Executive Council by creating five new portfolios. The new members, who had been offered and had accepted the membership, were Sir Homy Mcdy, Sir Akbar Hydari, R. Rao, M. S. Aney and Sir Feroz Khan Noon. Simultaneously a National Defence Council was being established, containing about 30 members, nine of whom would be drawn from the States. "The Viceroy regards it as essential that the great Muslim community should be represented on the Council by persons of the highest prominence and capacity. He has, accordingly, invited the Premiers of Assam, Bengal, the Panjab and Sind to serve as members on it, and he has extended invitations also to certain other prominent Muslims, such as Sir Muhammad Usman. He has considered whether he should invite you to let him have any suggestions as to the possible personnel of this Council, but being aware, as he is, of your general attitude, he has concluded that it would be preferable not to embarrass you by inviting you to make suggestion."

On the following day Jinnah replied expressing his strong disapproval of the Viceroy's action in inviting the Muslim Premiers or any other Muslim Leaguers "because it is obvious that it would embarrass the Muslim League organization, and I do hope and trust that His Excellency will avoid such a contingency". It was improper, he said, that these persons should have been approached by the Viceroy "over the head of the President and the executive

of the All India Muslim League, knowing full well the position and the attitude that the All India Muslim League has adopted".[64]

On the same day, 21 July, the expansion of the Executive Council and the constitution of the National Defence Council were officially announced in a white paper.[65] In his speech in the House of Commons on 1 August, 1941, the Secretary of State for India, L. S. Amery, explained in detail and defended in principle the measures laid out in the white paper. The Defence Council, he said, was a body of patriotic men who had "readily come forward to help their country at a critical moment". It was an advisory body and its main purpose was "to bring the war effort in the Provinces and the States as well as in the ranks of commerce, industry and labour into more direct and effective touch with the Central Government". The immediate object of these measures was to "increase the efficiency of Government, and, at the same time, to make a fuller use of the vast and hitherto insufficiently tapped reservoir of Indian ability and patriotism". It was also an earnest of "our desire to transfer to Indian hands a steadily increasing share in the control of India's destiny. They mark a change in spirit, if not in letter, of India's constitution."[66]

The Working Committee of the Muslim League met at Bombay on 24-26 August to consider the new measures. On 25 August a resolution was passed unanimously calling upon Sir Sikandar Hayat Khan, Fazlul Haq and Sir Muhammad Saadullah, Premiers of the Panjab, Bengal and Assam, respectively, to resign from the National Defence Council. On 26 August another resolution was passed condemning Amery's observations and castigating the expansion of the Viceroy's Executive Council and the setting up of the National Defence Council as "a concession to the demands of the Hindus in utter disregard of the wishes of the Muslims of India and the solemn promise made to them and is intended to mislead public opinion in Great Britain and abroad". The resolution held out the threat that if no steps were taken "to

[64] Both letters reproduced by Jinnah in his statement of 28 August, 1941, Jamil-ud-Din Ahmad, *op. cit.*, pp. 331-335.

[65] Cmd. 6293 of 1941.

[66] See H.C. 373. 5s., cols. 1682-1690.

reassure the Muslims", the Muslim League would be compelled to revise of necessity its policy and adopt such measures as it may deem necessary "to resist . . . the British Government".[67]

Eight Muslims had accepted the Viceroy's invitation to join the National Defence Council. Five of them were Sikandar Hayat, Fazlul Haq, Saadullah, Begum Shah Nawaz and Nawab of Chhatari. Jinnah insisted that they must resign. The three Premiers of the Panjab, Bengal and Assam did so on 11 September. The Nawab of Chhatari had already resigned on his appointment as President of the Hyderabad Executive Council. Begum Shah Nawaz was defiant and was immediately expelled from the Muslim League for five years. Sir Sultan Ahmad, who had succeeded Sir Zafrulla Khan in the Executive Council, was also asked to resign his post. He refused and was expelled from the League for five years. These actions and decisions were confirmed by the Working Committee and the Council of the League in their meetings of 26-27 October at Delhi. It was decided to withdraw from the Central Assembly for the entire session. This was at once put into operation and on 28 October the Party walked out of the House, stating that its decision was prompted by the refusal of the British Government to grant the League a real share of responsibility and authority at the Centre and in the Provinces.[68]

Thus the episode ended in a triumph for Jinnah. The whole proceedings may or may not have been obstructive tactics, as other parties described them, but there is no doubt that they proved the efficacy of the stern control exercised by the Qaid-i-Azam over the League. It also showed that the Panjab ministry, though not a Muslim League government, was not prepared to quarrel with the League. The prestige of the League was mounting rapidly, and it was confirmed when, a little later, Fazlul Haq was also expelled when he resiled from his earlier promise and disobeyed the party's directive. The League was quickly learning discipline—a quality which was to play an important role in the coming years.

[67] See K. P. Bhagat, *A Decade of Indo - British Relations 1937 - 1947* (Bombay: 1959), pp. 144-145.

[68] *Indian Annual Register*, 1941, vol. II, pp. 216-219.

CHAPTER 8

The Cripps Mission and Congress Revolt

Pro-Japanese feelings

The winter of 1941-42 was bringing war closer to India. The Japanese advance in Burma was gradually but relentlessly closing the gap between Indian safety and Japanese arms. Singapore, that great Allied bastion in the Far East, had fallen. Fortune certainly did not seem to favour the Allies.

In India the impact of these developments was confused. The Congress at best was neutral in its attitude. It saw in the misfortunes of the Allies only an opportunity to extract more concessions from the British. There were sections of opinion which were secretly in sympathy with Japan. Being in antipathy with the Congress, the Muslims did not rejoice in the misfortunes of the British, but they felt that more positive incentives should come from the British to ensure their active support. Therefore they insisted that their future must be guaranteed before they could pledge their whole-hearted co-operation. However, the Muslim Chief Ministers continued to co-operate with the Government and individual Muslim Leaguers were free to render all aid to

the official machinery. On the other hand, most of the Congress leaders refused to distinguish between Britain and her enemies. Gandhi said that Hitler was a divine chastisement for the evil deeds of British imperialism. Some Congress leaders believed that Britain's record as an imperialist power was no better than Japan's. At the time of General and Madame Chiang Kai-Sheks' visit to India, when the Chinese visitors related the story of Chinese sufferings under Japanese rule, one Congress leader declared, "Let nobody imagine that it can make any possible difference to us whether it is the Japanese or the British who rule India."[1] Nor was the imminence of a Japanese invasion a help in the solution of the Hindu-Muslim problem. The impasse continued with the same old intensity and stubbornness. The Hindus did not feel any necessity of coming to terms with the Muslims on the Pakistan issue.

At the time of the visit of the Cripps Mission to India the only new set of proposals emerged from Sir Tej Bahadur Sapru and his non-party conference, which, as we have seen, rejected the Muslim demand for Pakistan and insisted on the immediate formation of a "national government". Sapru had sent a copy of his scheme to Churchill in February, 1942 to which the British Prime Minister had replied that the Government of India had been invited to send representatives to sit in the British War Cabinet and on the Pacific Council. This was meant to improve the national status of India. On the formation of a "national government" Churchill was silent, except saying that this raised "far-reaching issues". This is where matters stood in March 1942.

The Draft Declaration

This suspense was ended on 11 March, four days after the fall of Rangoon, when Churchill rose to make an important statement in the House of Commons. The War Cabinet had agreed initially upon conclusions which, if accepted by India, "would avoid the alternative dangers either that the resistance of a powerful minority might impose an indefinite veto upon the wishes of

[1] Quoted in R. Coupland, *The Cripps Mission* (London: 1942), p. 20.

the majority or that a majority decision might be taken which would be resisted to a point destructive of internal harmony and fatal to the setting up of a new constitution". Sir Stafford Cripps, the Lord Privy Seal and the Leader of the House of Commons and a member of the War Cabinet, was being sent to India "to satisfy himself upon the spot by personal consultation that the conclusions upon which we have agreed, and which we believe represent a just and final solution, will achieve their purpose".[2]

The conclusions agreed upon by the Cabinet were embodied in a Draft Declaration which Cripps brought with him to India. This Declaration was published on 30 March, 1942.

The Declaration opened with the preamble that the object was the creation of a new Indian Dominion which would be "associated with the United Kingdom and the other Dominions by a common allegiance to the Crown, but equal to them in every respect, in no way subordinate in any respect of its domestic or external affairs". As soon as the war ended a Constitution-making body would be set up in India to frame a Constitution. This body would be elected by the lower houses of all provincial legislatures by proportional representation after the first post-war general election . The States would be represented on this body. Any Constitution made by this body would be acceptable to Britain, subject only to three conditions: (1) Any province would be free to keep itself out of the proposed Union and to retain its prevailing constitutional position. If such non-acceding provinces so desired they could have their own separate Union analogous to the proposed Indian Union. (2) Britain and the Constitution-making body would enter into a treaty covering all necessary matters arising out of the complete transfer of responsibility from British to Indian hands. This treaty would make provision for the protection of racial and religious minorities. (3) Whether the States adhered to this future Constitution or not, it would be necessary to negotiate a revision of their treaty arrangements.

Until such time as the war ended and such a Constitution was framed, His Majesty's Government must inevitably "bear the

[2] H.C. 378. 5s. 11 March, 1942, cols. 1069-1071.

responsibility for and retain control and direction of the defence of India as part of their world war effort". But the task of organizing to the full the military, moral and material resources of India must be the responsibility of the Government of India.[3]

The terms of the Draft Declaration were elaborated and explained in a broadcast by Cripps from New Delhi on 30 March, 1942. He made it clear that the nature and character of the proposed Constitution-making body could be changed if "the leaders of the principal sections of Indian opinion" agreed among themselves before the end of the war He defended the non-accession clause of his Declaration in these terms: "If you want to persuade a number of people who are inclined to be antagonistic to enter the same room, it is unwise to tell them that once they go in, there is no way out—they are to be for ever locked in together. It is much wiser to tell them they can go in and if they find that they cannot come to a common decision, then there is nothing to prevent those who wish from leaving again by another door. They are much more likely all to go in if they have knowledge that they can by their free will go out again if they cannot agree."

In the short-term plan the most essential point was defence. If Britain were to take full responsibility for the conduct of the naval, military and air defence of India, then the defence of India must be dealt with by the British Government and the direction of that defence must rest in the hands of the Commander-in-Chief under the War Cabinet. But as the Government of India must also have an effective share in the defence counsels, it was decided that the Commander-in-Chief would retain his position as member of the Viceroy's Executive Council.

Cripps concluded his broadcast by an appeal to all Indian leaders to accept his scheme. "Our proposals are definite and precise. If they were to be rejected by the leaders of Indian opinion, there would be neither the time nor the opportunity to reconsider this matter till after the war and it would be a bitter blow to the friends of India all over the world."[4]

[3] Cmd. 6350.

[4] Extracts from his broadcast speech in M. Gwyer and A. Appadorai, *op. cit.*, vol. II, pp. 521-524.

Four things about the Draft Declaration should be noticed here. First, it dealt with three separate though closely linked matters: the future independence of India, the method by which the new Constitution would be framed and the interim constitutional procedure to be adopted until the new Constitution could be made. Secondly, the Declaration did not mean a drastic change of policy. Its terms were virtually the same as those of the August 1940 offer. But it was more concrete and constructive. It made the meaning of the Dominion status clear. It stated that the new Constitution would be the sole, not merely the primary, responsibility of the Indians themselves. It proposed a practical method of reaching an agreement and bringing the Indians together in a Constitution-making body. It clearly promised that a Constitution thus made would be acceptable to the British Government. Thirdly, the Declaration was the policy of the War Cabinet determined unanimously. There was no question of an uneasy alliance between the Labour and Tory opinions in the Cabinet. "If I alone had drafted the document," said Cripps, "it would have been in substance exactly what it is". Fourthly, the Declaration ruled out any major constitutional change during the war.

Indian reaction

Negotiations between Sir Stafford Cripps and the Indian leaders of various parties centred round three main points: the non-accession clause, the representation of the States in the Constitution-making body, and the immediate formation of a responsible government. The Muslims were not satisfied with the non-accession clause by which certain provinces could, if they liked, refuse to join the proposed Indian Union. This, it was said, was not enough, for it did not ensure the creation of Pakistan as envisaged by the League. The Hindus saw in this clause the seeds of Indian disintegration. They called it a grave blow to Indian unity and, therefore, totally unacceptable. The second question related to the nature of the representation of the States in the Constitution-making body. The Congress wanted the representatives to be elected by the people rather than appointed by the Princes. Elected representatives would be predominantly Congress-minded and, therefore, an accession to Congress

strength. The Muslims did not interest themselves much in this problem because they had no clear-cut policy about the States. It is quite possible that the League secretly sympathized with the Princes, for the simple reason that popularly elected members would have increased the following of the Congress as well as the strength of the Hindu membership. The third question was superficially related to the problem of Defence, but really to the point of having or not having a fully responsible government at the Centre during the war. Here again the Congress was adamant in its demand that a responsible government be immediately installed and defence made a subject under the exclusive jurisdiction and control of an Indian member of the Viceroy's Executive Council. The League found itself on the horns of a dilemma. If it did not support the Congress and acquiesced in the continuance of the prevailing system of government, it might be charged with being undemocratic and reactionary. If, on the contrary, it also demanded a fully responsible government, it certainly would jeopardise the Muslim interests, for any kind of responsible government was bound to be a Hindu and a Congress government.

Negotiations dragged on for a few days. Cripps and the Congress president exchanged letters to clarify several points. But Cripps was unable to accept the Congress contentions and finally, on 11 April, the Congress published the resolution of rejection which had already been passed on 2 April by the Working Committee of the party. It objected to, what it chose to call, the "complete ignoring of 90 millions of people in the Indian States"; it saw the danger that the States would "become a barrier to the growth of Indian freedom". It castigated the non-accession clause as a "severe" blow to the conception of Indian unity and an apple of discord likely to generate growing trouble in the Provinces". The Committee found any prospect of the break up of the unity of India too painful to contemplate, though it conceded that it could not think in terms of compelling the people of any territorial unit to remain in an Indian Union against their declared and established will. Finally, it was critical of the proposals pertaining to the immediate future. It wanted defence to be controlled by India and insisted on the immediate formation of a responsible national government. In brief, the

British proposals were unacceptable to the Congress. The rejection was complete, uncompromising and related to the whole set of proposals.[5]

Simultaneously, the Muslim League announced its rejection of the scheme. The Working Committee's resolution began with appreciating the fact that the Draft Declaration embodied only the proposals of His Majesty's Government and not their decision, and that they were subject to an agreement between the main Indian elements. In this respect, the Declaration was in line with the August offer which had promised the Muslims that no constitutional advance would be made or implemented without the approval and consent of Muslim India. It was gratifying also that the possibility of Pakistan was recognized by implication by providing for the establishment of two or more independent Unions in India. But it was regretted that the proposals were not open to modification and, therefore, no alternative proposals were invited. So far as the scheme was concerned it was found unacceptable for the following reasons:

(1) The Muslims were not prepared to live in one Indian Union as a minority. The non-accession provision was "purely illusory" because the creation of Pakistan is "relegated only to the realm of remote possibility".

(2) The proposals set up only one Constitution-making body with a view to the creation of one Indian Union. The League believed in Pakistan and, therefore, in the establishment of two separate Constitution-making bodies. The method of electing the Constitution-making body was also defective and detrimental to Muslim interests for the right to elect their representatives by separate electorates had been taken away from them. Further, this body would take decisions by a bare majority on all questions of the most vital and paramount character. This was not only a departure from the fundamental principles of justice and contrary to constitutional practices so far followed in the various countries and Dominions, but also gravely unjust to the Muslims

[5] Text of the Congress resolution in M. Gwyer and A. Appadorai, *op. cit.*, vol. II, pp. 524-526.

who would be in the minority of about 25 per cent in the Constitution-making body.

(3) The right not to accede had been given to the existing provinces which had been formed from time to time for administrative reasons and on no logical basis. Moreover, the draft proposals contained no procedure for obtaining the verdict of the province for or against non-accession.

(4) It was the considered opinion of the League that it was for the States to decide whether or not to join a Union.

(5) The proposals did not indicate as to what would happen in case of disagreement on the terms of the proposed treaty between the Crown and the Indian Union or Unions.

(6) The League was unable to express its opinion on the interim arrangements until a complete picture was available.

The resolution concluded by asserting that unless the principle of the Pakistan Scheme, as enunciated in the Lahore Resolution of 24 March, 1940, was unequivocally accepted and the right of the Muslims to self-determination was conceded "by means of a machinery which could reflect the true verdict of Muslim India", it would not be possible for the Muslim League to accept any proposal or scheme regarding the future.[6]

Two days later Jinnah commented upon the question of the national government which had been left untouched by the resolution. He said that he had had no discussions with Cripps on the interim arrangements, except that the details would be worked out and settled by the Viceroy with the parties concerned. But if the alternative proposals of the Congress were accepted which amounted to immediate independence, the Cabinet to be nominated by major parties with collective responsibility, the Viceroy to act as a constitutional Governor-General and the Secretary of

[6] *Resolutions of the All India Muslim League from April, 1942 to May, 1943*, published by the Honorary Secretary, All India Muslim League (Delhi: n.d.), pp. 1-7. The Pakistan Resolution was introduced on 23 March, 1940, but was actually passed on 24 March.

State and His Majesty's Government having no power to interfere —it would have meant the setting up of a Cabinet "irremovable and responsible to nobody but the majority, which would be at the command of the Congress in the Cabinet". This would have been a "Fascist Grand Council" and the Muslims and other minorities would have been entirely at the mercy of the Congress. "Then to say that the future would be considered after the war is to my mind absurd, because there would be nothing left of the future to discuss, except details."[7]

The Congress and the Cripps offer

It was widely believed in April, 1942 that the Muslim League had rejected the Cripps offer because the Congress had rejected it, and that if the Congress had been more agreeable, the League, too, might have softened its rejection. There is some evidence in support of this opinion, because both the Congress and the League passed their resolutions on 2 April, but did not publish them till 11 April. The Congress delayed its reply because it was negotiating with Cripps on the question of the formation of a national government—a discussion in which Jinnah and the Muslim League were not invited to participate. It appears, therefore, that the League held up its final reply till the Congress had announced its resolution. To say this is not to blame the League for indulging in delaying tactics, for the League's final opinion had to be determined by the outcome of the Congress-Cripps negotiations. Whether Cripps accepted or rejected the Congress alternative proposals was a vital matter, and it was impossible for the Muslims to say yes or no until Cripps had given his decision.

Thus the attitude of the Congress conditioned the policy of the Muslim League. It is, therefore, pertinent to study the mind of the Congress and to analyse the motives and implications of its alternative proposals.

[7] Jinnah's statement at a press conference on 13 April, 1942, *Civil and Military Gazette*, 14 April, 1942. For details of his views on the Cripps offer see his Presidential Address to the All India Muslim League at the Allahabad session of 4 April, 1942; text in Jamil-ud-Din Ahmad, *op. cit.*, pp. 403-414.

On his return to London Cripps explained in detail the nature and failure of his mission in a speech in the House of Commons on 28 April, 1942. He made it clear that disagreement came upon the way in which self-determination was to be exercised and upon the transitional provisions for the Government of India until the new Constitution could come into force. The Congress objected to the non-accession clause, but it forgot that the Draft Declaration did no more than what Gandhi and other Congress leaders had constantly stated they were prepared to do—to keep open the issue of Pakistan. This was as fair a compromise as possible between the two extreme views. It was the duty of His Majesty's Government to find an agreement by compromise and not to give either party all of what it wanted and then force it upon the other.

The crucial objection of the Congress regarding interim arrangements, according to Cripps, was that relating to defence. The Congress wanted the Government of India to have full control over defence. This was unacceptable not only to His Majesty's Government but also to the minorities who contained some of the finest fighting elements in India. The final break came upon the issue of the form of transitional government. On this the Congress was not prepared to compromise although it had been made clear to all that a major constitutional change during the war was out of the question. The "position of complete power asked for by the Congress—which was not demanded by any other section of opinion in India—would leave the matter in an impossible situation. Once chosen, the Executive Council would not have been responsible to anyone but themselves. There would have been no protection for any of the minorities. I am quite confident that none of the minorities would have accepted such a position and least of all the Muslims." It was "on this issue that the final break came".[8]

The gist of this statement was repeated by the Duke of Devonshire, the Under Secretary of State for India, in the House of Lords. The Congress leaders insisted, he said, on a "position for

[8] H.C. 379. 5s., 28 April, 1942, cols. 826-843.

themselves of complete power during the interim period". None of the minorities—"certainly not Muslims" would have accepted this for a moment.[9]

For this bid at complete control of India the Congress was soundly rated by practically all parties. The *Spectator* realized that the Congress sought "to subject India to an irresponsible Cabinet in which it would have much the largest party representation".[9a] Sir Tej Bahadur Sapru regretted the failure of the Cripps Mission and, prophetically, feared that "if the deadlock continues there may again be a conflict between the Government and one or other of the political parties which, in view of the present war situation, will be disastrous".[10]

Pakistan Plan and the Cripps Proposals

It is difficult to determine with certainty whether the real motive behind the Congress' rejection of the Cripps offer was the British Government's refusal to agree to the formation of a national government or the original scheme's non-accession clause. But there is no doubt that the provinces were given the option to stay out of an Indian Union because of the strength of the Pakistan sentiment among the Indian Muslims. Lord Hailey's impression was that this provision was designed, not with a view to the realization of Pakistan, but to impress on the Hindus the necessity of coming to some form of term with the Muslims. If this result was not attained, he feared, then the scheme involving the disruption of India would have been inserted in vain.[11] Professor Coupland, who was working with the Cripps Mission, also believed that, instead of encouraging partition, the clause in fact pointed the way by which alone partition could be avoided, and was based on a profound psychological truth. "The story of the forbidden fruit applies to great affairs of life as much as small. The certain method of whetting a nation's or a community's appetite

[9] H.L. 122. 5s., 29 April, 1942, col. 755.

[9a] *Spectator*, 17 June, 1942.

[10] Statement of 28 April, 1942, issued from Allahabad and carried by all newspapers of 29 April, 1942.

[11] H.L. 122. 5s, 29 April, 1942, cols. 771-772.

for something is to say that it is the one thing they may not have. Thus just as there is small chance of India wanting to stay in the British Commonwealth unless she is free to get out, so the best hope of a single Indian Union is to assure the people of the predominantly Muslim areas that they need not join it unless they wish."[12] If this reading of the War Cabinet's intentions is correct then the generally held opinion that the offer conceded Pakistan in principle is mistaken.

But there is no doubt that Indians of all parties did not interpret the Draft Declaration in the same manner as Coupland did. They believed that the British Government had come round to the view that some sort of partition was inevitable. That is why the Hindus of all complexions (Congress as well as the Hindu Mahasabha) rejected it in bitter terms and commented on this concession to the Muslims in intemperate language. That is also why the Muslims did not react to it in too unfavourable a way. It is true that the Muslim League turned down the offer, but it is also true that in Jinnah's words "the recognition given to the principle of partition, however, was very much appreciated by Muslim India".[13] There was ample reason for Jinnah's optimistic view of developments. The Pakistan Resolution was passed in March 1940 and within exactly two years the British War Cabinet had conceded it in principle. This was a great victory for the Muslims, no matter how the Draft Declaration was interpreted. The intentions of the War Cabinet were known only to its members; and until the archives of the period are released, there is no way of being certain about Cripps motives. But his speech in the House of Commons shows that the Government was prepared to concede the Muslim demand simply because the Muslims would have rejected any scheme outright if it had left them at the mercy of the Hindu majority.

Anyway, in India, the offer was read as an admission that the British Government was prepared (at least) to consider the Pakistan plan as a solution of the communal impasse. That is

12 R. Coupland, *The Cripps Mission, op. cit.*, pp. 35-36.

13 Jinnah's statement of 13 April, 1942, Jamil-ud-Din Ahmad, *op. cit.*, p. 416.

why Jinnah's attitude to the proposal was less hostile than Gandhi's. Jinnah did not reject the scheme *in toto* or all along the line. He complained that it failed to lay down clearly and categorically that Pakistan would be created. The *possibility* of a Muslim State was of course implicit in the Declaration, nevertheless its main object was the establishment of a single Indian Union. Moreover, Cripps based his plans on the existing provincial boundaries, while Jinnah contended that those frontiers were out-dated and worked against Muslims interest.

On the other hand, the Congress thought that this concession to the Muslims went too far. As soon as the Declaration was published the Congress and Hindu press was unanimous in denouncing this clause. In fact, till the publication of the Congress rejection on 11 April, the press attacked the offer mainly on the ground that it opened the way to separation. The emphasis on the formation of a national government came later. The Hindu Mahasabha was naturally more outspoken and reflected the will of all Hindus when its Working Committee declared that India is "one and indivisible" as the main reason for its rejection.

Failure of Cripps mission

Why did the Cripps mission fail? An answer to this question lies in a study of the Congress mind.

Some clear and definite reasons can be given for its rejection by the Congress. First, and above all, Gandhi was opposed to the offer and used his great influence to mould the Congress Working Committee's resolution on the subject. He even told the Committee that if it finally chose to accept the scheme he would withdraw from active politics and leave the Congress to deal with future developments. For the Congress to hold office in a Government without Gandhi's blessings at that time was worse than not holding any office at all. Secondly, the whole history of the Congress was based in the tradition of non-cooperation with the Government. The only occasion on which it had accepted office was after the 1937 elections. And this had been done in face of

stiff opposition from a strong minority opinion, headed by Jawaharlal Nehru. After the resignation of Congress ministries in 1939 this "anti-office" minority had gained strength. Nehru's view, repeatedly stated, was that it was foolish to co-operate till such a crisis came in India that the British Government found it inevitable to surrender; and he had often hinted that the outbreak of a world war would certainly create one. Thirdly, as we have already seen, the Congress was allergic to any concession, howsoever minor, to the Muslim League. The non-accession provision was completely unacceptable to it merely because it went some way to meet the Pakistan plan.

But perhaps the most important factor which weighed in the Congress mind against the Lord Privy Seal's offer was its timing. During several months before the arrival of the Mission the Allied powers had been receiving one set-back after another. The Japanese had attacked Pearl Harbour in December 1941. In February 1942 Singapore had fallen. By March, Burma had been lost. In North Africa Rommel was ready to strike at Egypt and the Suez Canal. In Europe the British and French forces were being rolled back by the German might. In face of these grave reverses it was but natural for most Hindus to read in the offer a confession of weakness and to exploit the situation. The Congress sympathies with the Japanese, however veiled and secret, were known to all. Gandhi and many others did not consider Japan a danger to India and told the people that Japan was coming as an enemy of British imperialism and a friend of India. Under these conditions the Congress found it easy to believe that the offer was, according to Gandhi, no more than "a post-dated cheque on a bank that was obviously failing". It was not sure if after the war Britain would be in a position to fulfil its promises made in the Declaration. Who knew what the end would be? And the Congress, in its wisdom, decided that it was unsafe to co-operate with the Government and thus to convey to the Japanese that it was a party to British war effort.

The aftermath

After the failure of the Cripps mission the Congress became bitterly frustrated. It had made a bid to get the power to rule

the subcontinent through a proposed national government, but its plans had neither been approved by the British Government nor supported by other elements of the population. Instead of trying to come to an agreement with the Muslims, which should have been a proper step, the Congress made another effort to gain supremacy, this time unconstitutionally and violently.

In May 1940, taking for granted that Britain had lost the war, Gandhi had written to the Viceroy, "this manslaughter must be stopped. You are losing; if you persist, it will only result in greater bloodshed. Hitler is not a bad man. If you will call it off today, he will follow suit". To this piece of, what one observer called, "insolent and impudent treachery", the Viceroy gave a polite answer, "we are engaged in a struggle; so long as we do not achieve our aim, we are not going to budge. I know your solicitude for us, but everything is going to be all right".[14] Gandhi, however, was still not satisfied with the answer and on 6 July he issued an appeal "to every Briton" in which he asked the British to "lay down the arms you have as being useless for saving you or humanity". "You will invite Herr Hitler and Signor Mussolini to take what they want of the countries you call your possessions. Let them take possession of your beautiful island, with your many beautiful buildings."[15]

Immediately after Cripps' return to London, the Working Committee of the Indian National Congress, meeting at Allahabad on 2 May, 1942, passed a resolution calling upon all Indians to resist the Japanese invasion by "non-violentn on-co-operation".[16] On 15 July, at Wardha, the Working Committee passed another resolution enunciating the Congress policy *vis-a-vis* the current developments. The Congress, it said, had "tried their utmost" to bring about a solution of the Hindu-Muslim tangle. But this was made impossible by the presence of a foreign power. It was

[14] Both the letters are quoted in G.D. Birla. *In the Shadow of the Mahatma: A Personal Memoir* (Bombay: 1953), p. 302.

[15] Quoted in full in Homer A. Jack (ed.), *The Gandhi Reader: A Source Book of His Life and Writings* (New York: 1958), pp. 344-347.

[16] Full text in *Documents on the Indian Situation since the Cripps Mission* (New York: 1942), pp. 28-29.

only after ending foreign domination and intervention that this issue could be faced and solved "on a mutual and agreed basis". Nor could foreign invasion be met effectively as long as India was not a free country. Therefore, the British should immediately withdraw from India and leave her in the hands of her natural masters. If this was not done, concluded the resolution, the Congress would be compelled to "utilize all the non-violent strength it has gathered since 1920".[17]

Britain and the non-Congress elements in India naturally did not take kindly to this threat in the middle of a grave war. On 31 July Jinnah regretted the Congress plan and realized that it was the culminating point in Gandhi's policy of "black-mailing the British and coercing them" to concede Hindu raj. It was childish to say that no agreement could be reached so long as Britain ruled India. But one thing was certain: no agreement could be reached on the basis of the terms that Gandhi dictated to the Muslims. The Congress resolution was a challenge to the British Government who were quite capable of looking after themselves. It was also a challenge to Muslim India, for Gandhi, without reference to or consultation with the Muslims, was launching a movement whose one and only object was to destroy the Pakistan scheme.[18]

Sir Tej Bahadur Sapru called it an "ill-considered and inopportune resolution",[19] while P. V. Naidu, the Vice-President of the All India Hindu Mahasabha, felt gravely concerned over Gandhi's decision to resist the Government.[20]

In Britain the Congress plan was universally condemned. The *Economist* called it "one of the most dramatic acts of political blackmail in world history", and agreed with Jinnah that Gandhi

17 Text in *ibid.*, pp. 31-33.

18 Statement issued to the Foreign Press on 31 July, 1942, Jamil-ud-Din Ahmad, *op. cit.*, pp. 434-439.

19 *Civil and Military Gazette*, 26 July, 1942.

20 Quoted in *Documents on the Indian Situation since the Cripps Mission*, p. 46.

21 *Economist*, 25 July, 1942.

wanted to replace the British by Congress raj.[21] The *Glasgow Herald* chided Gandhi for playing Congress politics "on the brink of an abyss" and for trying to force upon India a Congress Government.[22] To the *Scotsman* Gandhi's threat was "a real service to Hitler".[23] Even the British leftist press, ever indulgent to the Hindus, spoke out against the Congress scheme. The *Daily Herald* was convinced that in thinking of resistance Gandhi was not "interpreting the will of the toiling and suffering Indian masses" and that he was rating political strategy higher than the prospect of liberty, equality and fraternity.[24] In the opinion of *New Statesman and Nation*, Congress had made its claim for India's independence not merely in a form which Britain could not accept, but in a form which it could not believe would be accepted. There were two reasons why the British Government could not accept the demand. First, it suggested a surrender of power before any interim government had been constituted which was capable of taking over. Secondly, withdrawal was asked for without any understanding that a free India would offer military resistance to the Japanese. The Congress found negation and protest and resistance congenial, but shrank from risks and power and responsibility. It lacked political courage and the positive genius of construction.[25]

In a broadcast to the people of the United States, on 26 July, Sir Stafford Cripps traced the background of Congress politics from the time of his Indian visit to the latest threat. No responsible government could possibly consider the Congress demand. The Muslims were "deeply opposed" to the Congress domination, and so were the tens of millions of the depressed classes. To agree to Gandhi's demand would bring about "inevitable chaos and disorder". "We cannot allow," he said, "the action of a visionary, however distinguished in the fight for freedom in the past, to thwart the United Nations' drive for victory in the east. The issue is too grave and too great for the whole world."[26]

[22] *Glasgow Herald*, 16 July, 1942.

[23] *Scotsman*, 17 July, 1942.

[24] *Daily Herald*, 21 July, 1942.

[25] *New Statesman and Nation*, 25 July, 1942.

[26] *Documents on the Indian Situation since the Cripps Mission*, pp. 47-48.

Pandit Nehru's reply to this was a truculent rejoinder, in which he called Cripps the "devil's advocate". The right way for Britain was to "approach us in all humility with repentence for all the evils she has done to India and is still doing to her". He dismissed the Muslim opposition to Congress demand by the glib declaration that "I know my Muslim countrymen a little better than Sir Stafford does and I know that what he says about them is a calumny . . ."[27]

Quit India

Undaunted by widespread condemnation, the All India Congress Committee proceeded to pass its 'Quit India' resolution at Bombay on 8 August, 1942. It approved and endorsed the working committee's resolution of 14 July and declared that the immediate ending of British rule in India was an "urgent necessity". No future promises or guarantees could remedy the prevailing situation. India should immediately be declared an independent country. A provisional government would then be formed with the co-operation of the principal parties and groups in the country, whose primary duty would be the defence of India and resistance against aggression "with all the armed as well as the non-violent forces at its command". The provisional government would also evolve the scheme for a constituent assembly which would prepare a Constitution for a federation in which the units would enjoy the largest measure of autonomy. The Committee sanctioned, "for the vindication of India's inalienable right to freedom and independence", the starting of a "mass struggle on non-violent lines on the widest possible scale".[28]

This, what Gandhi himself called an "open rebellion", could not be tolerated by any government. All Congress leaders were arrested on 9 August and the Congress was declared an unlawful body throughout India. However, this prompt official action did not quite succeed in nipping the Congress programme in the bud. Grave and widespread disturbances broke out in all the Hindu

[27] *Ibid.*, pp. 49-50.

[28] Full text in M. Gwyer and A. Appadorai, *op. cit.*, vol. II, pp. 541-544.

provinces. Railway stations were burnt, rail tracks were uprooted, telegraph wires were cut, post offices were looted and then burnt down, other means of communications were disrupted and air-fields and airstrips were destroyed. At most places there was open violence and hundreds of persons were killed before order was restored.[29]

The Congress did not receive support from several sections of the population. The Depressed Classes kept themselves aloof from the movement and their leader, Ambedkar, strongly criticised the Congress campaign.[30] The Liberals were no less critical, and Sapru and Jayakar minced no words in expressing their disapproval.[31] The Indian Nationalist League condemned Gandhi for this 'foolish' action.[32] The Communist Party of India was also in the opposite camp.[33] Bhai Parmanand, the Vice-President of the Hindu Mahasabha, criticised the 'Quit India' move[34] and on 10 August, V. D. Savarkar, the President, asked his followers not to lend support to the Congress campaign.[35] The Working Committee of Majlis-i-Ahrar resolved that a civil disobedience movement "in the present critical circumstances is not only unnecessary but also inadvisable".[36]

For the Muslims it was difficult to put on the revolt any construction but that it was a Hindu bid at controlling all India. The fact that the Congress had made no move towards an agreement with the Muslims strengthened this conviction. And the Muslim League was clear on the point that the revolt was directed

[29] For details see Indian Newspapers for the period 10 August—30 September, 1942.

[30] See his statement in *Civil and Military Gazette*, 30 July, 1942.

[31] See Sapru's letter to *The Times of India*, reproduced in *Civil and Military Gazette*, 30 July, 1942, and his and Jayakar's appeals in *Civil and Military Gazette*, 6 August, 1942.

[32] J. D. Mehta's statement in *Civil and Military Gazette*, 1 August, 1942.

[33] Statements of Teja Singh Swatentra, M.L.A. and P.C. Joshi in *Civil and Military Gazette*, 6 August, 1942.

[34] His statement in *Civil and Military Gazette*, 6 August, 1942.

[35] *Civil and Military Gazette*, 12 August, 1942. See also *Manchester Guardian*, 11 August, 1942.

[36] Text in *Civil and Military Gazette*, 20 August, 1942.

not only at coercing the British Government to hand over power to a Hindu oligarchy and thus disabling the British from carrying out their obligations to the Muslims and other minorities, but also at forcing the Muslims to submit and surrender to Congress terms. The Muslim League stood squarely for Indian independence, but there was no doubt that the Congress movement did not aim at freedom but at the establishment of a Hindu raj and at the destruction of Pakistan. Finally the League called upon the Muslims to abstain from participating in the 'Quit India' movement and warned the Congress that any intimidation, coercion or molestation by the Hindu enthusiasts would lead to resistance and thus to serious trouble.[37] The molestation of Muslims was, however, a common feature of the events that ensued.

Jinnah called the "Quit India" movement as tantamount to "forcing their demands at the point of bayonet" and "internecine civil war".[38] In his opinion the Government was faced with what was "legally high treason". He fully approved of the arrest of Congress leaders and of the firm measures taken to quell the riots.[39] The revolt was no less than a declaration of war against the Muslim League and all other non-Congress organizations, who were neither consulted nor referred to. In fact, the movement was launched in spite of the disapproval and in utter disregard of the opinions of these bodies. It was axiomatic to say that the Congress movement was unlawful and unconstitutional, because its avowed object was to subvert the Government established by law. It was, in fact, much more. It was an invitation to civil war.[40]

In Britain the reaction to the revolt was, except for some leftist circles, one of universal and unreserved condemnation. *The Time*

[37] Resolution of the Muslim League Working Committee of 16-20 August, 1942, *Resolutions of the All India Muslim League from April, 1942 to May, 1943* (published by the Honorary Secretary, All India Muslim League), (Delhi: n.d.), pp. 9-15.

[38] Statement of 9 August, 1942, Jamil-ud-Din Ahmad, *op. cit.*, vol. I, pp. 443-445.

[39] Interview to *Daily Herald* correspondent on 14 August, 1942, *ibid.*, pp. 445-448.

[40] Speech at a Press Conference on 13 September, 1942, *ibid.*, pp. 449-458.

attributed the calamity to the rejection of the Cripps offer and held the Congress, and specially Gandhi, responsible for the rejection as well as the resulting disasters.[41] The *Daily Telegraph* called it "irresponsible folly"[42] and the "imbecility of Wardha".[43] Gandhi and his lieutenants were "infatuated with the lust of power".[44] What the movement asked for was not the withdrawal of the British but the entry of the Japanese.[45] The *Observer* had no respect for a single party, perhaps a single man, demanding a dictatorship which facts did not justify, and "muttering rebellion and anarchy".[46] The *Spectator* realized that by starting this campaign at that critical time Gandhi had placed the Japanese under a deep obligation.[47] For the *Economist* the campaign was nothing but a proof of the Congress conviction that Britain's extremity was India's opportunity.[48] The revolt was an attempt at a seizure of power by an autocratic minority.[49]

The European and American press was equally emphatic and stern in denouncing the 1942 revolt. *The New York Times* wrote "The present uprising in India is not a struggle for what all Indians, or, as far as we know, the majority of Indians, call freedom. It is a struggle for what the Congress party . . . says is freedom . . . Behind the murmur of Gandhi's noble words may be heard the roar of mobs and the rattle of chains, and not British chains either."[50] Similar comments appeared in many Swedish, Australian and Turkish newspapers.[51]

[41] *The Times*, 12 August, 1942.

[42] *Daily Telegraph*, 16 July, 1942.

[43] *Ibid.*, 23 July, 1942.

[44] *Ibid.*, 6 August, 1942.

[45] *Ibid.*, 10 August, 1942.

[46] *Observer*, 19 July, 1942.

[47] *Spectator*, 14 August, 1942.

[48] *Economist*, 7 April, 1945.

[49] J. C. French, "The Indian Congress in Action", *National Review*, December, 1942, p. 508.

[50] *New York Times*, 11 August, 1942.

[51] See *The Times*, 12 August, 1942 and *Manchester Guardian*, 11 August, 1942.

Conclusion

The Muslim charge that the 1942 events constituted a Congress endeavour to succeed the British in the seat of authority has now been proved to be right by the confession of the Congress President himself. In his memoirs, Abul Kalam Azad says that the scheme in his mind was that as soon as the Japanese reached Bengal and the British forces withdrew towards Bihar, the Congress would "step in and take over the control of the country". This plan was developed in May and June 1942. But Gandhi had different ideas. He believed that Japan was coming to India not as India's enemy but as the enemy of the British, and that if the British withdrew from India, Japan would not invade the subcontinent. Further, Gandhi was of the opinion that the British would allow him to develop his movement of resistance; he did not foresee his immediate arrest.[52]

The fact was that "with a Japanese invasion an imminent probability, Congress was less interested in the 'uncertain future' than in the immediate present".[53] The Hindu masses generally believed that the 'Quit India' campaign would synchronise with Japan's entry into India.[54] Whatever the professed sentiments of Hindu leaders, at least some of them looked forward to peace with the Japanese. We have already seen that Gandhi was desirous of negotiating with Japan. Jawaharlal Nehru was, we are told, "thrilled" by the thought of a Japanese invasion of India.[55] In their attempt at ousting the British and taking over the imperial authority, the Congress leaders were not averse to employing tactics which were hardly respectable. For example, one observer reported that in the "Quit India" campaign and consequent disturbances the Congress enlisted the aid of hooligans.[56]

[52] A. K. Azad, *India Wins Freedom: An Auto-biographical Narrative* (Bombay: 1959), pp. 73-74 and 81.

[53] E. W. R. Lumby, *The Transfer of Power in India, 1945-1947, op. cit.*, p. 30.

[54] A. W. Khan, *India Wins Freedom: The Other Side* (Karachi: 1961), p. 152.

[55] Frank Moraes, *Jawaharlal Nehru* (New York: 1956), p. 293.

[56] H. G. Rawlinson, "The Indian Political Scene", *Asiatic Review*, July, 1943, p. 286.

Only one comment is necessary here. The Congress conduct in these turbulent days shows, as nothing else does, its extreme anxiety to arrogate all power to itself, even if the process involved dire consequences for most Indians and grave setbacks to the Allied war effort. The same reasons as led the Congress to reject the Cripps offer, led it to its 1942 revolt. One other reason may perhaps be added here. It can be argued that the Congress feared that if independence was postponed to the post-war period, a divided India would be a reality. And one fundamental and irrevocable principle from which all Congress policies flowed was that the emergence of Pakistan must be stopped. It is, of course, an irony of history that in 1947 it was the Congress itself which was forced by events to agree to a division of India.

CHAPTER 9

Gandhi-Jinnah Talks

The Consolidation of the Muslim League

The full story of the phenomenal rise in the popularity of the Muslim League between 1942 and 1945 has yet to be written. In the 1937 elections the League had done poorly, but the impact of Congress rule in Hindu provinces had awakened the Muslims to their peril. Nehru's campaign of mass contact among the Muslims had the effect of heightening political consciousness among Muslim masses. Jinnah had skillfully exploited Congress mistakes and miscalculations and had turned every Congress error of judgment into a political victory for the Muslim League. The League was growing apace in popularity and power and this progress was reflected in the results of by-elections held after 1937. When the Congress ministries resigned in a huff at not being consulted about India's involvement in the war, the League was given an unexpected opportunity to extend its influence—an opportunity which only Congress miscalculation could have created. By giving up this point of vantage, the Congress undoubtedly "showed a lamentable lack of foresight and political wisdom".[1]

[1] V. P. Menon, *The Transfer of Power in India* (Calcutta: 1957), p. 152.

It is an interesting question, though to our purpose somewhat irrelevant, as to why the Congress chose to surrender its power in the provinces at this hour. The only possible explanation that suggests itself is that the Congress over-rated its importance in the country and its stock with the Indian and British Governments. It thought that it controlled India so thoroughly that, in voluntarily surrendering office, it was not running any political risk. It was under the impression, soon to be proved erroneous, that as soon as its return to political wilderness was announced Delhi and London would leave no stone unturned to persuade it to come back, because, it so argued, Britain could not afford to lose its support in her hour of great peril. Of course it considered the opposition of the Muslims to its policies and plans of little significance. The Congress was so blind to the depth and genuineness of Muslim sentiment that it seems to have been driven by an inexorable fate into blind alleys so far as a settlement with the Muslims was concerned, otherwise how can it be explained that it never seriously weighed the consequences of alienating such a large and important element in the population while planning its strategy? It grossly under-rated the strength of Muslim political consciousness. The success in the 1937 elections, the exercise of power in the provinces and an arrogant contempt for the Muslims combined to shut the eyes of the Congress to the realities of the situation. It remembered the League's poor performance in the elections, without reminding itself of the results of the ensuing by-elections. It harped upon its ideal of a united India and upon its ability to achieve this, without taking note of the apprehensions created among the Muslims by its policies.

But that was not all. After resigning from office it made no effort to canvass Muslim support for its policies. The passing of the Lahore Resolution in March 1940 should have opened its eyes to Muslim fears, and a political party endowed with any sense of realism and foresight should have faltered a little and taken congnizance of the separatism which was then winning Muslim mass support. But the Congress persisted in ignoring Muslims fears. It considered political abuse to be the sole effective weapon against the Muslims which further exasperated them.

In 1942, the turn of events gave to the Congress another, and as it happened the last, opportunity of heart-searching. The Cripps draft declaration contained the pregnant provision by which provinces could, if they preferred, opt out of the proposed Indian Union and form their own separate Union. To the meanest intelligence it was clear that the British Government was now coming round to the Muslim solution of the Indian problem, and that if all alternatives failed, it was probable that a divided India would emerge by the force of circumstances. But even then the Congress refused to read the writing on the wall. To them the "non-accession" clause was merely another British attempt at divide and rule, yet another devilish device of the "satanic" rulers. Congress leaders did not see, as they should have seen, in it signs of the growing strength of Muslim nationalism. The opportunity however left the Hindus unmoved and the gulf that separated the Muslims from the Congress continued to widen and deepen.

The Congress reply to the Cripps offer was the "Quit India" revolt of August 1942. If the British were reluctant to part with power, the Congress thought that it was by then strong enough to take delivery by force. The attempt failed but left an indelible impact on all Indian parties. As has been stated before, the Congress alone stood for "Quit India", no other party, not even the Hindu Mahasabha, supported it in this single-handed folly. The Muslims kept strictly aloof, being fully convinced that it was an attempt at by-passing the minorities and at forcing the issue to establish undiluted Hindu rule.

Such a series of political mistakes were bound to come home to roost. The resignation of Congress Ministries gave the League a valuable chance to build itself up more rapidly than it had hoped. The Congress failure to keep its ears to the ground and to understand Muslim feelings enabled the League to convince the middle-of-the-way Muslims that their future lay with it rather than with the Congress. The Congress rejection of the Cripps offer, on the professed ground that its acceptance would be a blow at Indian unity, not only confirmed the Muslims in their opinion of its implacable hostility to any concession to their

position, but also left them with no alternative except that of strengthening the Pakistan platform. The 1942 revolt was the last straw—for the Muslims as much as for the British. To the Muslims, it came as the clearest proof of Congress determination to rule over them against their will. To the British, it was little less than stark betrayal.

The Congress had to pay a heavy price for the attempted rebellion. Its leaders were arrested and put in prison where they were to stay—fretting and frustrated—for nearly three years. Its organization was outlawed. It was a dangerous period to be cut off from the mainstream of political developments. While Congress leaders were contemplating the future in their prison cells in a state of impotent rage, the Muslim League was reaping the harvest of the folly of its rivals.

Jinnah used this opportunity for improving the League's organization as well as raising its prestige. Branches were opened in districts, *tahsils* and even in some villages. The control of the party's Working Committee was tightened over provincial and local offices. Jinnah's own power and influence were greatly augmented. The demand for Pakistan was popularised. Wide publicity was given to all League activities. Leaders at all levels toured India extensively and spoke to the masses living in far-flung areas which had never before been visited by League workers or speakers. Meetings were frequently held and the case for Pakistan presented in persuasive terms. New Muslim student organizations were established; the old ones were strengthened and streamlined.

Good and efficient organization, however, was only the means to an end. Hand in hand with the improvement in organizing the Muslims went Jinnah's efforts at persuading the Viceroy, and through him the British Government, to accept him as the spokesman of Muslim India and the League as the only party entitled to speak for the Indian Muslims. The Muslim League had grown so much in power that the Viceroy could not afford to alienate it. This has generally been interpreted by Hindu and several British historians as a deliberate effort by the Viceroy to win Jinnah's sympathy so that the Congress could be browbeaten.

This is, however, a prejudiced view propagated, on the one hand, to play down the progressively increasing strength of the League, and, on the other, to paint the British as the upholders of the criminal policy of divide and rule. A much more rational explanation is available, and one that fits the circumstances much better than the Hindu thesis. The British were involved in a life-and-death struggle and in 1942-43 the tide of war was not going their way. India was no longer a far-flung colony isolated from the main theatres of war. With the fall of Singapore and the capture of Burma, war clouds had come to India herself. Bengal and Madras had attracted Japanese bombers. Assam was very nearly a war front area. It needed no military genius to see that India was the next objective of Japanese advance. In Europe, British and Allied arms were not achieving any conspicuous success. In these circumstances, the Indian Government was bound to rely heavily on those elements of the population which were not jubilant at Japanese successes. The Congress had, in British and Muslim eyes, taken the side of Japan in so far as it had organized a rebellion when the Japanese forces were knocking at India's door. The Muslim League had, from the start, made no effort to impede war effort and had not only completely abstained from participation in the 1942 Congress revolt but had also condemned it. The British could not alienate the Muslim majority in the sensitive area of Bengal where the League had secured overwhelming Muslim support. Nor could the British run the risk of drawing the Muslim soldiers and officers of the Indian army into frustration and disloyalty by ignoring Muslim sentiment. In the light of these facts, to accuse the Viceroy of being pro-Muslim and anti-Congress or of following a deliberate policy of encouraging Muslims in their intransigence, can only be attributed to political cussedness.

The second factor which facilitated Jinnah's work was the wide support given him by the Muslim masses. Neither the most pliable Viceroy nor the most cringing Muslim leader could have made the League strong and powerful had the masses not been behind it. This is where the improvement in its organization helped the League. The Government, unlike the Congress, was not blind to

the accession of strength to the League. As the Government was convinced of the fact, as it was by 1943, that the League spoke for the overwhelming majority of the Muslim masses, political wisdom decreed that no constitutional arrangements should be made or contemplated unless they had a chance of placating Muslim sentiment. To give this undertaking was not to arm Jinnah with a veto on constitutional advance, as several Hindus have argued,[2] but to make sure that any political solution must satisfy all parties if it was not to lead to a civil war. It is a measure of Jinnah's success, and proportionately of Congress failure, that, within a few years, he made the Muslim League a power to reckon with and developed the sentiment for Pakistan into a political programme of reasonable validity.

The most promising results of Jinnah's success were achieved in the sphere of provincial ministry making. In 1937, as we have seen, the League had won only a handful of seats and in no province, except for a time in Bengal, did a League ministry hold office. But gradually as the League grew in strength and numbers, its influence over Muslim provinces became visible. A glance at Muslim provincial politics during the years 1939-1943 will show the growth of the influence of the Muslim League. In Assam, the resignation of the Congress ministry was followed by a coalition ministry headed by Sir Muhammad Saadullah. In December 1941 the Education Minister, R. K. Chaudhri, resigned and formed a party of his own. This resulted in the downfall of the coalition and the administration of the province was taken over by the Governor. But in August 1942 Saadullah came back to power through the support of the European members of the Assembly. Soon afterwards, several Congress M.L.As. were imprisoned for their participation in the Congress revolt and this made Saadullah's position as Chief Minister secure.

[2] Hindu historians, like V. P. Menon, who castigate Linlithgow and Wavell for having cultivated and, therefore, encouraged Jinnah, should remember that a year later Gandhi held talks with Jinnah on Pakistan with the clearly implied acceptance of Jinnah as the leader of the Muslims. To condemn the Viceroy for doing something in 1943 which Gandhi had to do in 1944 may be good propaganda but it is bad history.

In Bengal, as we have seen, Fazlul Haq had formed a Ministry in 1937. He had originally belonged to the Krishak Proja Party. Later he joined the Muslim League and his ministry was a League ministry. Towards the close of 1941, however, his differences of opinion with the League forced him to resign from the party and to form a new coalition ministry. This united all Muslim League members of the Assembly who had been strengthened through better discipline and by election successes—against Haq's coalition. In March 1943, Haq resigned and the province was governed for one month under Section 93 of the Government of India Act, 1935. In April, Khawaja Nazimuddin took over as Chief Minister when he formed a Muslim League ministry. Many of the erstwhile supporters of Fazlul Haq transferred their loyalty to the new Chief Minister and a stable League ministry worked in the province.

In Sind the Allah Bakhsh ministry did not resign in 1939 along with other Congress ministries, though it was being kept in office by the Congress M.L.As. But in October, the Governor, Sir Hugh Dow, dismissed the Chief Minister, after he had refused to resign, on the ground that his renunciation of titles was inconsistent with the oath of allegiance which he had taken at the time of his appointment and with his retention of office. The Congress made quite an issue of this, but the Governor-General and the Secretary of State for India supported the Governor's action. Sir Ghulam Husain Hidayatullah, who had been a member of the dismissed ministry, now became Chief Minister with the support of the Muslim League. His Ministry consisted of two Muslim Leaguers one Muslim Independent and two Hindus. The Congress ordered picketing in front of the houses of Hindu ministers and in other ways threatened them. This hostility compelled Hidayatullah to join the Muslim League and soon many of Allah Bakhsh's former supporters crossed over to the Chief Minister's side and a stable Muslim League ministry began to function. It was then that Sind won the distinction, on 3 March 1943, of being the first Indian province whose Legislative Assembly passed a resolution saying that Indian Muslims were a separate nation and endorsing their demand for a separate State.[3]

[3] Full text of the resolution in *Civil and Military Gazette*, 5 March, 1944.

In the North-West Frontier Province, the Congress had formed a ministry in 1937 under Khan Sahib. This ministry resigned in October 1939 along with other Congress provincial ministries. As the Muslim League was weak and poorly represented in the provincial assembly and no other group was strong enough either singly or in coalition to form a government, the Governor took over the administration of the province in his own hands and this state of things continued till May 1943, when Sardar Aurangzeb Khan, the provincial League Leader, was promised support by 20 Muslim members of the Assembly. In a house of 50, the Congress had 22 seats, but 10 of Congress members were in prison. Seven seats were lying vacant. Aurangzeb was therefore, able to have a majority in this attenuated house with his 20 supporters.

In the Panjab, Jinnah-Sikandar Pact gave the League a strong, though unofficial, position in provincial politics. Sikandar Hayat's death in December 1942 did not, in the beginning, change the situation, because his successor, Khizr Hayat Khan Tiwana, decided to uphold his predecessor's policy of supporting the League in its all-India policy. The break between Tiwana and the Muslim League came later.

Thus in 1943 and 1944, Muslim League ministries were in office in Bengal, Assam, Sind and the North-West Frontier Province. In the Panjab, the Unionist ministry was not a League administration, but its head and the leader of the Unionist Muslims supported the League demand for Pakistan. Thanks to Jinnah's adroit handling, Muslim League's growing strength, and Congress leaders' short-sighted policy, the League could now claim that it controlled, directly or indirectly, the provincial ministries of all the provinces which it included in the proposed Pakistan. The League had come a long way since 1937. It now possessed confidence born of roots among the people and of exercise of power. The Viceroy and His Majesty's Government had given an undertaking that no constitutional arrangements would be made without consulting the League. The Congress alone stood aloof and haughty, disdaining to recognize the League as representing the

Muslims, in fact persisting in its claim to speak for all India and all Indians.

The C.R. Formula

But even the Congress could not maintain this position for long. Much against its will, it was now coming round to the view that the League did represent Muslim India, that the Pakistan plan was rooted in popular support, and that no progress was likely unless some compromise was reached with the Muslims. As later events showed, this attempt to come to an agreement with the Muslims was, unfortunately, a half-hearted affair.

Primarily, it was the stress of political circumstances which compelled the Congress to approach the League with some sort of a proposal. The Congress was by now persuaded of its folly in staging the 1942 revolt which had resulted in the incarceration of its leaders. For some time Congress leaders sat frustrated and confused in their prison cells, but soon they, and especially Gandhi, began to probe for some expediency which could bring an end to Congress isolation without bringing upon it the charge of blatant opportunism.

On 27 July, 1943, Gandhi wrote to the Viceroy, Lord Wavell, saying that he was prepared to advise the Congress Working Committee "to renounce mass civil disobedience and to give full co-operation in the war effort, if a declaration of immediate Indian independence were made and a national government responsible to Central Assembly were formed, subject to the provision that during the pendency of the war, military operations should continue as at present, but without any financial burden on India".[4]

A reply to this letter came on 15 August. The Viceroy refused to be beguiled by the wording of the letter, and saw that Gandhi's proposals were almost identical with those which the Congress president had made to Sir Stafford Cripps in April 1942 and which

[4] V. P. Menon, *op. cit.*, pp. 160-161.

had been firmly rejected at that time by His Majesty's Government.[5] The British were prepared to offer India unqualified freedom after the war after the framing of a constitution agreed to by the main elements of India's national life and the negotiation of a treaty with Britain. If now the Government was to be made responsible to the central legislature as Gandhi demanded, the constitution would have to be altered. It was not possible to do this during the period of war. As long as the war lasted, Britain was not agreeable to parting with her responsibility for defence and military operations. Nor could the British Government hand over other responsibilities in India to a government of Gandhi's wishes as long as the current constitution was in force. All Indian parties, concluded the Viceroy, were welcome to co-operate in a transitional government under the constitution, but such a government would have better chances of successful working if these parties first reached an agreement in principle on the method and procedure of framing the future constitution.

To this Gandhi gave the characteristic answer that it was "as clear as crystal that the British Government did not propose to give up the power they possess over the four hundred millions unless the latter develop strength enough to wrest it from them".[6]

This exchange of letters has been recounted in some detail because it provides the essential background against which Gandhi carried on his negotiations with Jinnah.

After receiving this rebuff from the Viceroy, some Congress leaders turned again to Jinnah. They would have been happy if the Congress alone had secured some agreement with the Government, but now that this was impossible, a compromise with Jinnah, or at least the show of an effort to reach one, was considered desirable.

Prior to this change in Congress opinion, Rajagopalacharia was the only Congress leader of importance to have come to the

[5] For details of this, see previous chapter.

[6] Quoted in V. P. Menon, *op. cit.*, p. 162. Incidentally, this remark not only makes nonsense of Gandhi's claim that the Congress did not want a showdown in August, 1942, but also reveals his intention of staging another violent struggle to "wrest" power from the British.

conclusion that some sort of partition was unavoidable if constitutional advance was not to be permanently halted. He began to propagate this stand in public meetings and tried to persuade the Congress leadership of its validity and utility. "I stand for Pakistan", he said, "because I do not want that State where we Hindus and Muslims are both not honoured. Let Muslims have Pakistan. If we agree then our country will be saved. If the British raise further difficulties, we will overcome those difficulties . . . I stand for Pakistan, but I do not think the Congress will agree to this."[7] He was shrewd enough to see that freedom for India was contingent upon a solution of the Hindu-Muslim problem, and that this problem could not be successfully tackled without accepting the principle of Pakistan and countenancing some kind of a division of India. "If we want to abolish British rule," he repeated, "we must settle the political differences between Hindus and Muslims by recognizing the Muslim League, which represents the political feelings of the Muslims who want their claims to be accepted, the most important of which is Pakistan."[8]

In 1943, Rajagopalacharia had prepared a formula which could serve as a basis for a settlement between the Congress and the League. In February, during Gandhi's fast in the prison, he (Rajagopalacharia) had met him and showed him the formula. Gandhi gave his approval to it. On 10 July, the formula was published. It read as follows:—

"Basis for terms of settlement between the Indian National Congress and the All India Muslim League to which Mahatma Gandhi and Mr. Jinnah agree and which they will endeavour respectively to get the Congress and the League to approve.

(1) Subject to the terms set out below as regards the constitution of Free India, the Muslim League endorses the Indian demand for independence and will co-operate with the Congress in the formation of a provisional interim government for the transitional period.

[7] Speech in Madras of about April, 1943, quoted in Khaliq-uz-Zaman, *op. cit.*, p. 309.

[8] Speech of 12 February, 1944, at Belgaum, *Civil and Military Gazette*. 13 February, 1944.

(2) After the termination of the war, a commission shall be appointed for demarcating contiguous districts in the north-west and east of India, wherein the Muslim population is in absolute majority. In the areas thus demarcated, a plebiscite of all the inhabitants held on the basis of adult suffrage or other practicable franchise shall ultimately decide the issue of separation from Hindustan. If the majority decides in favour of forming [a] sovereign state separate from Hindustan, such decision shall be given effect to, without prejudice to the right of districts on the border to choose to join either state.

(3) It will be open to all parties to advocate their points of view before the plebiscite is held.

(4) In the events of separation, mutual agreements shall be entered into for safeguarding defence, commerce and communications and for other essential purposes.

(5) Any transfer of population shall only be on an absolutely voluntary basis.

(6) These terms shall be binding only in case of transfer by Britain of full power and responsibility for the governance of India."[9]

In April 1944 Rajagopalacharia communicated this formula to Jinnah, but Jinnah refused to take personal responsibility for accepting or rejecting it and agreed to place it before the Muslim League Working Committee. But Rajagopalacharia disapproved of this procedure on the ground that no purpose would be served by reference to the working committee "so long as it (the formula) does not have your own support".[10]

Then on 17 July, Gandhi wrote to Jinnah suggesting a meeting to which Jinnah immediately agreed. The Working Committee of the Muslim League met in Lahore on 30 July to discuss the Formula and the coming Jinnah-Gandhi talks. In his opening speech, Jinnah left no doubt among the minds of his hearers that

[9] *Indian Annual Register*, 1944, vol. II, pp. 129-130.

[10] For Rajagopalacharia-Jinnah correspondence of April-July, 1944, see Jamil-ud-Din Ahmad, *op. cit.*, vol. II, pp. 127-132.

he did not like the Formula. It was "a parody and a negation of, and intended to torpedo, the Muslim League's resolution of March, 1940". It was "the grossest travesty" to say, as Rajagopalacharia claimed, that the Formula conceded all that the League had ever demanded. After pointing out certain inconsistencies in the text of the Formula, he appealed to Gandhi to "join hands with the League on the basis of Pakistan in plain and unequivocal language, and we shall be nearer independence for the peoples of India which is so dear to the heart of not only Mr. Gandhi but of the millions in this country". In conceding the terms of the Formula, Gandhi was offering "a shadow and a husk, a maimed, mutilated, and moth-eaten Pakistan" and thus "trying to pass off as having met our Pakistan scheme and the Muslim demand". The only clear merit he saw in the Formula, and he did not underestimate its significance, was that at last Gandhi "has at any rate in his personal capacity accepted the principle of Pakistan".[11]

The Working Committee, however, gave Jinnah full authority to negotiate with Gandhi.

Before going into the details of this conversation one or two things about the C. R. Formula and Gandhi's approval of it must be considered.

It must be remembered that Rajagopalacharia began his campaign of persuading the Congress to conciliate the Muslims only when the August 1942 revolt had failed and Gandhi's efforts at wringing concessions out of the Viceroy had proved unfruitful. Thus the Congress willingness to negotiate on the basis of Pakistan was neither a sign of political large-heartedness nor a consciousness of the inevitability of partition. It was born partly of expediency and partly of frustration. Expediency, because this was the only way in which the Congress could re-enter politics from which it had been banished in August 1942. Frustration, because two years of prison life had worried the Congress leaders who were consumed with jealousy at the League's growth and success.

[11] *Ibid.*, pp. 135-147.

The Congress had rejected the Cripps offer primarily because the non-accession clause was not acceptable to it. Then a violent struggle was staged in a desperate attempt to wrest power from British hands. The rejection of the Cripps offer was a constitutional "no" to the Pakistan demand. The 1942 revolt was an extra-constitutional effort at annihilating the Muslim demand by replacing British with Hindu rule.

Against this background it is difficult to see any genuine desire for agreement in Gandhi's readiness to talk on the principle of Pakistan. Nothing had happened between August 1942 and August 1944 to have wrought such a radical change in Congress policy. The League had built itself up, but this was not acknowledged by the Congress even in 1945 when the Simla Conference failed because the Congress persisted in its claim of representing all Indians. Gandhi may have changed his mind because now the war was going in favour of the Allies. He had raised the slogan of "Quit India" when the Allies were hard pressed, when the Germans were advancing in Europe and the Japanese in Asia. Now when the erstwhile victors were fast retreating before British and American arms and when the chances of pushing around a weak and pre-occupied Government of India were remote, Gandhi saw the wisdom of making a show of negotiating with Jinnah.

The progress of the talks

It remains to give an account of the talks which took place during September 1944 at Jinnah's residence in Bombay.

The first point raised by Jinnah was that Gandhi was, by his own confession, only an individual seeking an agreement and not a representative of the Hindus or of the Congress or of any other segment of Indian political opinion. Nor did Gandhi have the authority to sign an agreement, if one was reached. Jinnah said that he was negotiating as the president of the All India Muslim League and had a mandate from the Working Committee of his party. He pointed out, in his letter of 10 September to Gandhi, that this arrangement whereby the leader of one party carried on

negotiations with an individual who denied any representative status, had no precedent and would create great difficulties.[12] Apparently Jinnah feared that if an agreement was reached, it would always be open to the Congress to reject it on the ground that it had given no authority to Gandhi to make it; and Gandhi would issue a statement expressing his regrets at his inability to convince the Congress and carry it with him. And so the matter would end with Jinnah and the League left only with the realization that they had been duped. This was not the first time that the two leaders were negotiating and Jinnah knew, through experience, that Gandhi was well practised in the art of putting different constructions on his words after the event. That explains his misgivings about talking to a party which had no credentials and his repeated references to this aspect of the situation. However, it speaks volumes for his anxiety to reach an agreement that in spite of obvious risks he continued the negotiations.

Jinnah's next objection was to the first clause of the Formula, which stated that the Muslim League "endorses the Indian demand for independence". What did this mean? Did it mean the demand made by the Congress in its resolution of August 1942 or was it the intention to propagate the idea that the League was not anxious to win freedom? Gandhi was well aware that the League stood for the freedom and independence of the whole of India and that applied to Pakistan as well as Hindustan. Then Jinnah inquired about the basis on which the "provisional interim government" (in the formation of which the League was asked, under clause 1, to co-operate with the Congress) was to be constituted.

As to the plebiscite commission stipulated in clause No. 2, Jinnah asked a few questions. Who would appoint this commission? Who would give effect to its findings? On what basis would the plebiscite be taken? Who would determine the franchise on which the plebiscite was to be taken?

In clause No. 3, what did "all parties" stand for? In clause No. 4, between whom and through what machinery would the

[12] Jamil-ud-Din Ahmad, *op. cit.*, pp. 158-159.

"mutual agreements" be entered into? As to clause No. 5, to whom and when, and through what agency, would Britain transfer "full power and responsibility for the Government of India?"[13]

In his letter of 11 September, Gandhi tried to answer these inquiries *seriatim*. On his *locus standi* he confirmed that "I have approached you as an individual . . . Of course, I am pledged to use all the influence I may have with the Congress to ratify my agreement with you". To Jinnah's first inquiry he gave no answer, merely saying that "I have already answered this in the foregoing", which he had not. The basis for the formation of the provisional interim government "will have to be agreed to between the League and the Congress". The commission would be appointed by the provisional government. The form of plebiscite and the franchise "must be a matter for discussion". "All parties" meant "parties interested". "Mutual agreement" meant "agreement between contracting parties". Power would be transferred to "the nation, that is, to the provisional government". Before giving these replies to Jinnah's inquiries, Gandhi had let one important sentence quietly slip into his letter, *viz.*, "The League Resolution is indefinite. Rajaji has taken from it the substance and given it a shape."[14]

On the same day Jinnah sent a reply to the above letter in which he expressed his dissatisfaction with Gandhi's answers and requested him to be more precise and definite. On Gandhi's claim that the Formula had given substance and shape to the Lahore Resolution, Jinnah remarked, "on the contrary, he has not only put it out of shape but mutilated it".[15]

Gandhi replied to this on 14 September and this letter gave a complete twist to the talks. After insisting, without argument, that Rajagopalacharia "not only has not put the Lahore Resolution out of shape and mutilated it but has given it substance and form", he said that he had put the Formula "out of my mind"

[13] *Ibid.*, pp. 160-162.
[14] *Ibid.*, pp. 162-164.
[15] *Ibid.*, pp. 164-167.

and "I am now concentrating on the Lahore Resolution in the hope of finding a ground for mutual agreement". He was convinced that unless "we oust the third party", Hindu-Muslim peace would not be possible. He had no scheme of a provisional interim government, except the opinion that it should represent all parties.[16]

Jinnah's answer to this was a repetition of his request for clarifications, particularly about the constitution of the interim government. "Unless I have some outlines or scheme, however rough", he reiterated, "from you, what are we to discuss in order to reach any agreement." He also asked Gandhi to indicate in what way he found the Lahore Resolution "indefinite".[17]

Gandhi's views on the Lahore Resolution were contained in his letter of 15 September. He began by saying that the Resolution made no reference to the two-nations theory, but as Jinnah had argued for it in his talks, Gandhi had been alarmed. "I find no parallel in history", he said, "for a body of converts and their descendants claiming to be a nation apart from their parent stock. If India was one nation before the advent of Islam, it must remain one in spite of the change of faith of a very large body of her children." Then he proceeded to pose fifteen queries about the contents and implications of the Resolution.[18]

In his second letter of the same date Gandhi made it clear that "we reach by joint effort independence for India *as it stands*. India, become free, will proceed to demarcation, plebiscite and partition if the people concerned vote for partition." The interim government would be responsible to "the elected members of the present Assembly or a newly elected one". It would have all powers except that of the Commander-in-Chief during the war and full powers after that. It would be "the authority to give effect to the agreement that might be arrived at between the League and the Congress and ratified by other parties".[19]

[16] *Ibid.*, pp. 167-170.

[17] *Ibid.*, pp. 170-172.

[18] *Ibid.*, pp. 173-177.

[19] *Ibid.*, pp. 177-179. Italics not in the original. The last clause of the last sentence introduced an entirely new element in the talks, but Jinnah seems to have ignored it because of lack of agreement on essentials.

Jinnah's reply to Gandhi's denial of Muslim nationality was the oft-quoted passage: "we maintain and hold that Muslims and Hindus are two major nations by any definition or test of a nation. We are a nation of a hundred million and, what is more, we are a nation with our own distinctive culture and civilization, language and literature, art and architecture, names and nomenclature, sense of values and proportion, legal laws and moral codes, customs and calendar, history and traditions, aptitudes and ambitions. In short, we have our own distinctive outlook on life and of life. By all canons of international law we are a nation."[20] Jinnah might well have added that all Muslims were not children of Indian converts, nor for that matter all Indians were of the same racial stock. Racially also the people of the areas proposed to be included in Pakistan were distinct.

To this, on 19 September, Gandhi could only answer "can we not agree to differ on the question of 'two nations' and yet solve the problem on the basis of self-determination?"[21] Jinnah's reply was that Muslims claimed the right of self-determination as a nation and not as a territorial unit. The Muslim case was of division and carving out two independent sovereign states by way of a settlement between two major nations, and not of severance or secession from any existing union. The right of self-determination which the League claimed postulated that the Muslims were a nation, and therefore, it would be the self-determination of Muslims, and they alone were entitled to exercise that right. Moreover, there would not be any matter of "common concern" between Pakistan and Hindustan, as these would be two separate independent sovereign states.[22]

But Gandhi was unable to accept the proposition that the Muslims of India were a nation distinct from the rest of the inhabitants of India. Nor was he prepared to be a party to a division "which does not provide for the simultaneous safeguarding of common interests such as defence, foreign affairs and the like".[23]

[20] *Ibid.*, pp. 179-184.
[21] *Ibid.*, pp. 184-185.
[22] *Ibid.*, pp. 185-190.
[23] *Ibid.*, pp. 190-192.

On 24 September, Gandhi once again gave a new twist to the negotiations by stopping the discussion on the Lahore Resolution and, instead, offering a new set of five terms, which was a mere rehash of the Formula.[24] Jinnah rejected these terms on three grounds, *viz.*, that Gandhi did not accept that Indian Muslims were a nation, that he did not accept that Muslims had an inherent right of self-determination, and that he did not accept that Muslims alone were entitled to exercise this right. Moreover, Congress was still bound by the resolution of the All India Congress Committee of May 1942 and the resolution of August 1942. Both of these rejected partition and emphasized the ideal of a united India. They were thus a bar to any settlement on the basis of a division of India.[25]

Gandhi went on insisting that the Congress resolutions did not preclude a settlement with the Muslims and that they were mainly concerned with the Congress-British stalemate. In his last letter, written on 26 September, he showed some exasperation when he said, "I confess I am unable to understand your persistent refusal to appreciate the fact that the formula presented to you by me in my letter of September 24, as well as the formula presented to you by Rajaji, give you virtually what is embodied in the Lahore Resolution."[26]

It was by now obvious that there was no meeting ground on which the two leaders could negotiate. So the talks were called off.

It must be kept in mind that the letters quoted above, though full and detailed, do not provide a record of the conversations. The real discussions took place when the two leaders met face to face. No record of this *tete-a-tete* was kept and neither of the participants has left a journal of these negotiations. Therefore, for the Muslim view of the failure of this attempt at an agreement we must depend on Jinnah's statement of 30 September and his interview of 6 October, 1944 to a foreign correspondent.[27]

[24] Text in *ibid.*, pp. 197-198.
[25] *Ibid.*, pp. 198-205.
[26] *Ibid.*, pp. 208-209.
[27] Both these are set out in full in *ibid.*, pp. 210-220 and 220-223.

A study of these documents makes it clear that the most weighty argument against the acceptance of Gandhi's terms was that he wanted the British withdrawal to take place first and the question of the division of India to be decided afterwards, while Jinnah insisted on a partition before British authority was brought to an end. Under Gandhi's time-table, an interim government responsible to the central assembly as then constituted, was to take delivery from the British, to hold a plebiscite and to implement its verdict. To this Jinnah was firmly opposed. "It would, therefore, be a Hindu majority government which would, when it becomes a permanent Federal Government, set up the post-war Commission for demarcating frontiers and arranging the plebiscite. I am asked to agree, before the plebiscite and therefore before I know what Pakistan will be, to making arrangements on Defence, Finance, Foreign Affairs, Commerce, Customs, Communications, etc., as a condition of our being allowed to have any kind of Pakistan at all; and it will be a 75 per cent Hindu majority government with which we shall have to agree . . . This is not independence. It is a form of provincial autonomy subject always in the most vital matters to an overwhelmingly Hindu federal authority."

This was the central point on which the talks broke down. Stripped of all dialectical frills and political polemics, the Gandhian offer did not amount to more than a half promise of a mutilated and non-sovereign Pakistan at some future date. Even for this the only guarantee was the goodwill of the Hindus. It is only fair to point out that such goodwill was not present at all. Who could blame Jinnah for turning down a proposal which, instead of solving the constitutional problem of India, intensified Muslim fears and if accepted would have placed them at the mercy of a Hindu Government without even the chance of British intervention?

Causes of failure

Many questions arise in connection with these negotiations. What was Gandhi's motive in holding these talks? What was the Congress attitude towards them? What did the other parties think

of this top-level attempt at a settlement? What was the net result of these conversations?

All these questions cannot be answered in the absence of inside information which has never been supplied. However, a few facts are known with some certainty and these may help us in seeing the Bombay talks in their proper perspective.

It is not easy to understand Gandhi's motives in accepting the C.R. Formula and in entering into a discussion with Jinnah on its basis. Obviously, he was not mentally prepared to countenance partition in any shape. His letters to Jinnah, referred to above, show that he was implacably opposed to Pakistan and one suspects that he negotiated with a view to convincing the public, perhaps in foreign countries, of his anxiety to reach a settlement and of his conciliatory policy towards the Muslims.[28] He made no serious effort to understand the reasons behind the Muslim insistence on partition. He never apprehended the nature or extent of Muslim fears. There was an inconsistency between his reiteration that India was one united nation and the Muslim principle of two-nations which he impliedly accepted when he agreed to negotiate on the basis of Pakistan.[29] While on one side he was offering terms to the Muslims, on the other he was vindicating his August 1942 action which had frightened the minorities, especially the Muslims, into hardening their stand.[30] His method of conducting his correspondence with Jinnah reveals his unwillingness to come to an agreed solution. First he insisted that he was negotiating only in his individual capacity and denied that he was negotiating on behalf of the Congress. Then he championed the C.R. Formula and went on claiming that it gave to the Muslims everything that they had demanded in the Lahore Resolution. Then abruptly he dropped the Formula and took up the Lahore Resolution, but at the end once again reverted to his claim, unsupported by argument, that the Formula and the Resolution

[28] See J. C. French, "India under Lord Wavell", *National Review*, October, 1944, p. 312.

[29] Sir Frederick Puckle, "The Gandhi-Jinnah Conversations" *Foreign Affairs*, January, 1945, p. 321.

[30] *The Times*, 9 August, 1944.

were identical. But above all, he blithely asked the Muslims to trust the Hindus to such an extent that they should agree to a British withdrawal leaving the decision on a non-sovereign Pakistan to a predominantly Hindu government endowed with sovereign powers. Gandhi must have known that the Muslims could not accept such terms and that casts doubts on his sincerity.

Another significant point is that the Congress did not express its feelings about the talks. We know that in 1942, when Rajagopalacharia had just begun to speak of the possibility of an agreement on the basis of Pakistan, Jawaharlal Nehru and other Congress leaders had seriously objected. Nehru had remarked, "it appears to me that he is breaking to pieces the weapon which the Congress have fashioned after twenty-two years of innumerable sacrifices".[31] Rajagopalacharia had retorted by resigning from the Congress, but this did not awaken the Congress rank and file to the urgency of his call. When the talks were held and for some time after that, the Congress leaders were still in prison and therefore not in a position to give public utterance to their views. But Menon, who was in their confidence and can justly be taken as representing their views, is of the opinion that Gandhi's move of talking to Jinnah about the partition of India was "inopportune . . . and was calculated only to strengthen Jinnah's hands and further the cause of the Muslim League..." This, he confirms, "was a view which was shared by some prominent Congressmen".[32] If this estimate of Congress reaction is correct, and there is no evidence to suggest the contrary, Jinnah was justified in insisting that Gandhi should have a mandate from the Congress for the negotiations. But Jinnah received no satisfaction from Gandhi on this point, which must have put Jinnah in the difficult position of negotiating with a party whose credentials were doubtful and who could always back out of any commitment merely through a Congress resolution.

The attitude of other parties was reflected in their reactions to the news of the failure of the talks. The Liberals did not regret

31 Quoted in Menon, *op. cit.*, p. 140.

32 *Ibid.*, p. 163.

the failure because the negotiations were based on the acceptance by Gandhi of the "vicious principle of partition of Hindustan and Pakistan".[33] The All India Sikh Conference passed a resolution rejecting the basis of the talks and calling upon the Sikhs to carry on a "ceaseless agitation unless the scheme is finally dropped and the Sikhs are assured that no similar proposal will be put forward".[34] The Indian Christians regretted the breakdown but made it clear that, on this point, they "consider the point of view of Mr. Gandhi to be more fair and more reasonable than that of Mr. Jinnah".[35]

[33] Statement by Setalvad and Chandavarkar, *Indian Annual Register*, 1944, vol. II, p. 156.

[34] Text in *ibid.*, p, 220.

[35] Statement by Sir Maharaj Singh and B. L. Rallia Ram, *ibid.*, p. 158.

CHAPTER 10

Simla Conference and Elections

Repercussions

On the whole, the failure of Jinnah-Gandhi talks was taken philosophically in India. A number of parties even expressed their pleasure at the breakdown. It appears that the failure was considered inevitable in view of the wide gulf between the Congress and League opinions; and therefore the news of the final breakdown did not come as a shock to public opinion. The result was an expected stalemate. The Congress leaders were still in gaol. Jinnah had tried his best to convince Gandhi of the sincerity and righteousness of his stand. Gandhi had offered nothing new. The British Government also had yet no new proposals to break the impasse.

Sapru Proposals

No non-Muslim leader was willing to lend any support to the Muslim cause. Only Sir Tej Bahadur Sapru seems to have gone so far as to think that some agreement with the Muslims would be desirable. It would be recalled that he had convened in 1941 a Non-Party Conference. Soon after the suspension of Jinnah-Gandhi talks, he wrote to Gandhi suggesting the holding of an-

other session of the Conference. But Sapru himself was doubtful if this would help and, after a short discussion with Gandhi, he withdrew his suggestion. Then he proposed to Gandhi that the latter should call a National Convention, but Gandhi declined to do so. Finally, Sapru suggested that the Standing Committee of the Non-Party Conference should appoint a committee to go into the matter of the future of India. The committee was not to be charged with the duty of bringing about a settlement in the sense that "the document would be executed, signed, sealed and delivered". It was to understand the point of view of each party and to act as a "conciliation board" by establishing contacts with leading party leaders, so that subsequently it could recommend a solution based on the views of all parties. The parties would then be free to accept it in part or in full or to reject it. Gandhi agreed to this plan but stipulated that the committee should not contain any representatives of the Congress, the Muslim League, the Hindu Mahasabha or any other recognized political party, and that persons chosen to serve on the committee should be those "who had not definitely committed themselves to any particular view since the breakdown of the Gandhi-Jinnah talks".[1]

The standing committee met in New Delhi on 19 November, 1944, and resolved "to appoint a committee which will examine the whole communal and minorities question from a constitutional and political point of view, put itself in touch with different parties and their leaders including the minorities interested in the question and present a solution within two months to the Standing Committee of the Non-Party Conference . . . [and it] will take all reasonable steps to get that solution accepted by all parties concerned".[2]

Sapru told a press conference on the same day that the committee would consist of persons who were not actively associated with any recognized political party and who had not publicly expressed their views on the communal problem. The basic idea, according to him, was to lift the discussion of the communal

[1] V. P. Menon, *op. cit.*, Menon does not give the date of this exchange of views between Sapru and Gandhi. But it must have been in October, 1944.

[2] *Indian Annual Register*, 1944, vol. II, p. 239.

and political problem from the partisan to a judicial and scientific level. He hoped that two former judges of the High Court, and possibly one or two Englishmen, would serve on the committee. He explained that if any party declined to co-operate, there would be no recrimination, though the fact would be recorded. He declared that he enjoyed Gandhi's support and hoped that the Government of India would adopt a reasonable attitude towards the committee's request for information or statistics.[3]

The Standing Committee met again at Allahabad on 3 December and named the members of the "Conciliation Committee". Sapru said that it was his intention to write to the leaders of various parties, requesting them to agree to interviews. The Committee would determine its own procedure. He reiterated that the Committee was not going to write a detailed constitution. Its purpose was to investigate whether there was a possibility of reconciling conflicting views and of suggesting a basis on which a constitutional structure might be built.[4] The personnel of the Committee was declared to be: Sir Tej Bahadur Sapru (Chairman), M. R. Jayakar (who could not attend), Bishop Foss Westcott, S. Radhakrishnan, Sir Homi Mody, Sir Maharaj Singh, Muhammad Yunus, N. R. Sarkar, Frank Anthony, and Sant Singh.

On 10 December Sapru wrote to Jinnah explaining the *raison d'etre* of the "Conciliation Committee" and asking him if he would "allow me and one or two other members of the Committee to see you in order to obtain clarification on the practical aspects of the problem".[5] In his reply of 14 December, Jinnah regretted that he could not recognize the Non-Party Conference or its Standing Committee, and therefore "I cannot recognize the Committee recently appointed by the Standing Committee of the Non-Party Conference for the purpose and the manner in which you propose to proceed and deal with the present political situation".[6] Jinnah's stand was amply justified by the trend of thought which was likely to, and did, dominate the committee.

[3] Full statement in *ibid.*, pp. 239-241.

[4] See *ibid.*, pp. 241-242.

[5] Text of Sapru's letter in Jamil-ud-Din Ahmad, *op. cit.*, vol. II, pp. 239-240.

[6] Text of Jinnah's letter in *ibid.*, pp. 240-241.

The proposals of the "Conciliation Committee" were published on 8 April, 1945. In its final session at New Delhi, the Committee unanimously passed fifteen resolutions dealing with the broad outline of the future constitution of India. Its main proposals may be summarized as follows:—

First, the division of India in any form or shape to be opposed.

Secondly, a constitution-making body of 160 persons, to be established for drafting the future Constitution.

Thirdly, native states to be allowed to join the proposed Union of India as units.

Fourthly, "no province of British India may elect not to accede to the Union, nor may any unit—whether a province or a state which has acceded—be entitled to secede therefrom".

Fifthly, a list of fundamental rights to be incorporated in the future Constitution.

Sixthly, an independent "minority commission" to look after the rights and interests of the minorities to be provided for.

Seventhly, separate electorates to be abolished

Finally, the constitution-making body, the central legislature and the central executive to be constituted on the basis of parity between Hindus (other than scheduled castes) and Muslims.

The report of the Committee concluded by recommending that "in the event of these proposals being unacceptable to the various communities and parties and their failure to reach an agreement on any other basis, His Majesty's Government should set up an interim government in India and proceed to establish machinery for drafting the new Constitution generally on the basis of the principles underlying these proposals, enact it in parliament and put it into operation at the earliest possible date".[8]

It is interesting to study the reaction of Indian political parties to the Sapru proposals.

[7] *Indian Annual Register*, 1945, vol. I, pp. 310-316.
[8] *Ibid.*, p. 316.

K. M. Munshi, the leader of the Akhand Hindustan Movement, welcomed them as "a highly workable solution of the Indian deadlock". But N. N. Sirkar, N. C. Chatterjee (both of the Hindu Mahasabha) and thirteen other Hindu leaders of Bengal opposed the proposals on the ground that they provided for Hindu-Muslim parity.[9] The Sikhs also objected to the principle of parity and rejected the entire report as inadequate for the protection of Sikh interests.[10]

On behalf of the Muslims, Nawab Muhammad Ismail Khan, Chairman of the Muslim League Committee of Action, attached no importance to Sapru's findings or recommendations and was of the opinion that the political deadlock could only be overcome if the Congress and the League agreed on the essentials of the future Constitution and the interim arrangements.[11] Jinnah characterized the Conciliation Committee as "nothing but handmaids of the Congress who have played and are playing to the tune of Mr. Gandhi", and warned that "Muslim India will not accept any attempt to change the present Constitution in any way which would, directly or indirectly, be on the basis of a united India.[12]

Even such an observer as V. P. Menon, who can hardly be called disinterested, thinks that the Conciliation Committee "failed in its efforts to advance the position". Its rejection of the Pakistan idea and the recommendation for joint electorates "made the Muslim League's attitude all the more hostile".[13]

There is no doubt that Sapru's proposals faithfully reflected the Congress mind. But they were unbelievably unrealistic. In 1942 the British Government, by the Draft Declaration sent through Cripps, had accepted the principle underlying the Pakistan plan and had carried a provision permitting provinces to stay

[9] Both quoted in K. P. Bhagat, *A Decade of Indo-British Relations*, (Bombay: 1959), p. 300. *Akhand* = Indivisible, undivided.

[10] *Ibid.*, pp. 301-302.

[11] *Indian Annual Register*, 1945, vol. I, p. 304.

[12] Quoted in A. A. Ravoof, *Meet Mr. Jinnah* (Lahore, 3rd ed., 1955), p. 157.

[13] V. P. Menon, *op. cit.*, p. 179.

out of the Indian Union. But the Conciliation Committee was not prepared to concede even this. Similarly, separate electorates had for many years been placed beyond controversy, and even Gandhi, during his talks with Jinnah, had not reopened this question. But the Conciliation Committee had gone farther than even the Congress and recommended immediate abolition of separate representation. Caste Hindu-Muslim parity was obviously meant to be a substitute. But the Committee could not have been unaware of the fact that this would not meet the Muslim objection to being reduced to a permanent minority. The Committee first tried to ensure that Muslims of doubtful loyalty to the community would be elected through overwhelmingly Hindu electorates and then proceeded to put them at the mercy of an unalterable non-Muslim majority.

Thus the Sapru proposals were intended to reinforce the Congress stand and not to find a solution of the problem. In the face of the increasing strength of the Muslim League, of the hold that the idea of Pakistan had come to have over Muslim masses, of the Cripps offer, of Jinnah-Gandhi talks, and of the essential nature of the Muslim problem—in the face of all these no other interpretation can hold water. It is difficult to understand how a man of Sir Tej Bahadur's brilliance and experience and the team of his "eminent and reputed"[14] colleagues could be so naive as to think that their proposals would be taken seriously by any one.

Desai-Liaquat Pact

In order to complete the story of the Sapru proposals we have recounted the developments up to April 1945. Now we must retrace our steps a little to take notice of an attempt of a different kind to bring the Muslim League and the Congress together.

When the year 1945 opened Indian newspapers were full of rumours of a Congress-League alliance. Congress members of the central legislative assembly, who had then been attending the

[14] The adjectives are Menon's *ibid.*, p. 179.

legislature for some months, were working in some sort of co-operation with the Muslim League assembly party. In particular Bhulabhai Desai, the leader of the Congress parliamentary party, and Liaquat Ali Khan, the *de facto* leader of the League assembly party, were said to be working in close harmony. There were persistent rumours that these two leaders had reached an agreement on the Constitution of a provisional national government. Desai saw Sir Evan Jenkins, then private secretary to the Viceroy, on 13 January, and this was followed by a Desai-Viceroy meeting on 20 January. Terms of what later came to be known as Desai-Liaquat pact were conveyed to the Viceroy in this meeting. Desai claimed that these proposals had Gandhi's support. He also claimed that Jinnah was aware of his negotiations with Liaquat Ali Khan and of the agreement reached between them and had approved of them.

The pact stipulated the following:—

"The Congress and the League agree that they will join in forming an interim government in the Centre. The composition of such government will be on the following lines:

(a) An equal number of persons nominated by the Congress and the League (the persons nominated need not be members of the Central Legislature).

(b) Representatives of minorities (in particular the Scheduled-Castes and the Sikhs).

(c) The Commander-in-Chief.

"The Government will be formed and [will] function within the framework of the existing Government of India Act. It is, however, understood that, if the Cabinet cannot get a particular measure passed by the Legislative Assembly, they will not enforce the same by resort to any of the reserve powers of the Governor-General or the Viceroy. This will make them sufficiently independent of the Governor-General.

"It is agreed between the Congress and the League that, if such interim government is formed, their first step would be to release the Working Committee members of the Congress.

"The steps by which efforts would be made to achieve this end are at present indicated to take the following course:

"On the basis of the above understanding some way should be found to get the Governor-General to make a proposal or a suggestion that he desires an interim government to be formed in the Centre on the agreement between the Congress and the League and when the Governor-General invites Mr. Jinnah and Mr. Desai either jointly or separately, the above proposals would be made declaring that they are prepared to join in forming the Government.

"The next step would be to get the withdrawal of Section 93 in the provinces and to form as soon as possible provisional governments on the lines of a coalition."[15]

When these proposals were conveyed to the Viceroy, he transmitted them to the Secretary of State for India with the opinion that they afforded an excellent opportunity of going forward in the political and constitutional spheres. But His Majesty's Government raised some important questions. What was the guarantee that the interim government would support the war effort? Was the pact aimed at depriving the Governor-General of his right to select the members of his Council? How far would the new Councillors be subject to the discipline and control of their party caucuses? How far would the Congress support Desai? How would the minorities and non-Congress Hindus and non-Muslim League Muslims be provided for?

To enable himself to answer these questions the Viceroy planned to see Jinnah and Desai and seek clarification. But, in the meantime, Jinnah had issued a statement disclaiming any knowledge of the pact. But this did not deter Desai from persisting in the pact's validity and canvassing support for it. As Jinnah was then at Bombay, the Viceroy asked Sir John Colville, the Governor of Bombay, to see Jinnah on his behalf and to find out if in his (Jinnah's) opinion the Desai proposals were worth pursuing and

[15] M. Gwyer and A. Appadorai (eds.), *op. cit.*, vol. II, pp. 556-557.

if they were, to request Jinnah to journey north to Delhi to discuss matters with the Viceroy and Desai. When Colville met Jinnah, the latter stated that he knew nothing of the Desai-Liaquat talks and that the pact was without the authority of the Muslim League.[16]

Much uncertainty attaches to this pact and none of the participants in these talks have removed the veil of secrecy. Our only source of information is Menon but there is obvious exaggeration in his account. At the utmost one may assume that Liaquat Ali Khan and Desai reached some sort of agreement, tentative or definite, and that Jinnah later repudiated it. Whether this was done because Liaquat had overstepped his sphere of authority or because Jinnah had changed his mind we will never know. Desai, too, was repudiated by the leaders of the Congress, despite Gandhi's support. In fact, Desai suffered much more than Liaquat Ali Khan whose discomfiture was temporary. For his audacity in drafting this agreement Desai paid the price of political extinction.

But the so-called Desai-Liaquat pact was, in another sense, not at all a failure. It paved the way for subsequent negotiations at Simla. Congress-League parity was for the first time mentioned, and conceded, in this pact. It is true that it left many questions unanswered, but it confirmed the fact of Congress acquiescence in the League's status as representing Muslim India.

The Wavell Plan, 1945

In spite of the failure of "the Desai-Liaquat Pact" to get the backing of Jinnah or of Congress leaders, the Viceroy went to London in May, 1945 for talks with the British Government. He carried with him certain proposals which, it seems, were not unlike those contained in the Desai-Liaquat agreement. The London talks resulted in the formulation of a definite plan of action which was officially made public by the Secretary of State for India in

[16] This account is based on Menon, *op. cit.*, pp. 177-178, which is the only available source of information for these occurrences.

a statement in the House of Commons on 14 June, 1945. His speech contained the following important points:—

The British Government was most anxious to do their utmost to assist the Indians in the working out of a new constitutional settlement, but it would be a contradiction in terms to speak of the imposition by Britain of self-governing institutions upon an unwilling India. It was not the intention of His Majesty's Government to introduce any change contrary to the wishes of the major Indian communities. "But they are willing to make possible some step forward during the interim period if the leaders of the principal Indian parties are prepared to agree to their suggestions and to co-operate in the successful conclusion of the war against Japan as well as in the reconstruction in India which must follow the final victory." It was proposed that the Viceroy's Executive Council be reconstituted so that the Viceroy selects persons for nomination to his Council from amongst leaders of Indian political parties "in proportion which would give a balanced representation of the main communities including equal proportions of Muslims and Caste Hindus". For this purpose, the Viceroy would call a conference of all political leaders and put before them the above proposal and invite from them a list of names from which he would choose his new Councillors. All such members would be Indians except the Viceroy and the Commander-in-Chief. If this co-operation is achieved in the centre, Section 93 would be withdrawn from all provinces and popular ministries formed "which would be based on the participation of the main parties". External Affairs (other than those tribal and frontier matters which fell to be dealt with as part of the defence of India) would be placed in the charge of an Indian member of the Council. "None of the changes suggested will in any way prejudice or prejudge the essential form of the future permanent Constitution or Constitutions for India."[17]

Some of the features of this plan were elaborated by the Viceroy, Lord Wavell, in a broadcast speech at Delhi on the same day. He made it clear that the new Council would work under the then

[17] *His Majesty's Government's statement on India, 14 June, 1945* (London: 1945).

existing Constitution. There was no question of the Governor-General agreeing not to exercise his constitutional power of control though it would, of course, not be exercised unreasonably. He reaffirmed that the formation of the interim government would in no way prejudice the final constitutional settlement. After considering the best means of forming the new Council, he had decided to invite the following to the Conference: all provincial Chief Ministers; for provinces under Governors' rule, all those who last held the office of Chief Minister; the leader of the Congress party and the deputy leader of the Muslim League party in the central assembly; the leaders of the Congress and the Muslim League in the Council of State; leaders of the Nationalist Party and the European group in the central assembly; Gandhi and Jinnah "as the recognized leaders of the two main political parties"; N. Shiva Raj to represent the scheduled castes; and Master Tara Singh to represent the Sikhs.[18]

One point about the nature of the proposed Council was significant. The extent of the powers to be enjoyed by it were not to depend on the letter of the constitution or upon any future conventions, but upon the fact that its members would be selected by the main political parties. "This reliance upon the support of the main political parties would be a substitute for responsibility to the Legislature which was ruled out because the Muslim League would never agree to participate in a Council responsible to a body with a Hindu majority."[19]

The reactions of Gandhi and Jinnah to the Wavell plan once again underlined the wide difference in their approaches to the Indian problem. Gandhi, in a telegram to the Viceroy on 17 June, regretted that "the fixity of parity between the Caste Hindus and Muslims as an unchangeable religious division will become officially stereotyped on the eve of independence". He refused to subscribe to it and assured the Viceroy that on this point the Congress was of his mind. "You will quite unconsciously, but equally surely, defeat the purpose of the Conference if parity

[18] *Speeches of Lord Wavell, 1943-47* (New Delhi: 1948), pp. 73-76.

[19] E. W. R. Lumby, *The Transfer of Power in India* (London: 1954), p. 46.

between Caste Hindus and Muslims is unalterable. Parity between the Congress and the League is understandable."[20]

Consequently, on 21-22 June, the Congress Working Committee instructed its representatives attending the Conference that they should ensure that (1) the suggested arrangements were of a purely temporary nature, (2) the principle of communal parity was unacceptable, (3) this communal parity was not applicable to the provinces and (4) the acceptance of the principle of parity for the restricted purposes of the Conference would not mean that all the Muslim members of the National Government would be nominated by the Muslim League.[21]

Jinnah issued a statement on the Wavell proposals on 29 June, by which time he knew the Congress reaction and the instructions summarized in the preceding paragraph. He emphasized the point that, in the projected national government, the Congress would be in a position to count on the support of the scheduled-castes and the Sikhs. He was anxious for a settlement and for a compromise, but he could not surrender the principle that the League alone was entitled to nominate all Muslim members of the government. The Caste Hindus-Muslim parity conceded by the Viceroy was not an unqualified concession, because in the whole Council the Muslim quota would not be more than one-third. As the representatives of the Sikhs, the Scheduled-Castes and other communities would be, as far as the Muslim demand for Pakistan was concerned, on the side of the Congress rather than on the side of the League, the Congress would command a clear majority in the Council. There was no firm provision against Congress steam rolling. The Viceroy had his veto, and he had declared that he would not let it lie unused, but he would be placed in a very individious position if he was to exercise his special powers constantly and as a normal practice. Therefore there was no adequate safeguard against the Congress forcing its decisions by a majority vote against the Muslim bloc. "We will have to consider how to provide against this position."[22]

[20] *The Indian Annual Register*, 1945, vol. I, p. 245.

[21] *Ibid.*, p. 224.

[22] Jamil-ud-Din Ahmad, *op. cit.*, vol. II, pp. 263-268.

The Simla Conference

The Conference assembled at Simla on 25 June.[23] In the first session the Viceroy made a long explanatory speech, filling in the details of the plan of 14 June, answering questions raised by the distinguished gathering and appealing for the co-operation and active sympathy of all the participants. In the second session (afternoon), Azad asserted that the Congress could not be a party to anything, however temporary, that "prejudiced its national character, tended to impair the growth of nationalism, or reduced the Congress directly or indirectly to the level of a communal body". Jinnah made it clear that the League could not in any circumstances agree to a constitution on any basis other than that of Pakistan. He did not commit himself to any definite conclusions, but "appeared to support the proposals subject to a decision acceptable to him on the question of communal parity".

On 26 June, the Conference discussed a statement, prepared by the Viceroy and his advisers, which split up the proposals for discussion into their component elements under two heads, *viz.*, (1) those primarily for agreement between the parties and the Viceroy, and (2) those primarily for settlement between the parties themselves. The discussion proceeded smoothly on all the points until the provision relating to communal parity was reached.

On 27 June the Conference met briefly and decided to adjourn so that Jinnah and Pant could continue their exploratory talks which had begun the day before. On the evening of the same day Jinnah saw the Viceroy and told him that though he was opposed to the appointment of non-League Muslims to the Council, he would place before his Working Committee any formula which the Viceroy thought suitable.

[23] The Conference was attended by: Abul Kalam Azad (Congress), P. N. Banerjee (Nationalist Party), Bhulabhai Desai (Congress), G. H. Hidayatullah (Sind Premier), Husain Imam (Muslim League), M. A. Jinnah (Muslim League), Liaquat Ali Khan (Muslim League), Khizr Hayat Khan (Punjab Premier), B. G. Kher (Bombay *ex*-Premier), G. S. Motilal (Congress), Khwaja Nazimuddin (Bengal *ex*-Premier), G. B. Pant (U. P. *ex*-Premier), Maharajah of Parlikewedi (Orissa *ex*-Premier), C. Rajgopalacharia (Madras *ex*-Premier), Henry Richardson (European Group), Muhammad Saadullah (Assam Premier), Khan Sahib (N.W.F.P. Premier), R. S. Shukla (C. P. *ex*-Premier), Tara Singh (Sikhs), S. K. Sinha (Bihar *ex*-Premier), and N. Sivaraj (Scheduled-Castes). This makes a total of 21.

When the Conference re-assembled on 28-29 June, it was informed that Jinnah-Pant talks had failed. The Viceroy then suggested a different approach. If all the parties and interests attending the Conference would send him lists of the persons whom they would like to be included in the Council, he would consider them and try to produce on paper a list of persons who would be acceptable to all concerned. He presumed that Jinnah and Azad would send him lists from the Muslim League and Congress respectively. He would like to receive not less than eight and not more than twelve names from each of the parties. The Conference was adjourned till 14 July.[24]

The Congress Working Committee met on 3 July and, by 6 July, they had prepared a list of names which was forwarded to the Viceroy. The Muslim League Working Committee met on 6 July, and on the following day Jinnah wrote to the Viceroy making three suggestions: (1) the Muslim League should not be asked to submit a panel of names, but its representatives should be chosen on the basis of a personal discussion between the Viceroy and himself; (2) all the Muslim members of the Council should be chosen from the Muslim League; "the Working Committee feels very strongly on the point and regards it as one of the fundamental principles"; and (3) some effective safeguards, other than the Viceroy's veto, should be provided to protect Muslim interests from majority decisions of the Council. Jinnah and the Viceroy had a long conversation on these points on 8 July. On 9 July the Viceroy sent him a written reply in which he regretted that he could not give him a guarantee that all the Muslim Councillors would be chosen from among the Muslim League. He could not commit himself to giving similar guarantee to any other party. He said that he was trying "to form an Executive Council representative, competent and generally acceptable". On the same day Jinnah wrote back saying that since the required assurances were not forthcoming his Working Com-

[24] This account is based on Menon, *op. cit.*, pp. 191-205, which is our only source for what happened at the Conference table. The quotations are from Menon, not from the persons in whose mouths Menon puts these words.

mittee felt unable to "send the names on behalf of the Muslim League for inclusion in the proposed Executive Council".[25]

There was another meeting between Jinnah and the Viceroy on 11 July, when the Viceroy said that he was prepared to include four members of the Muslim League but that the fifth place would have to be given to a non-League Panjabi Muslim. Jinnah at once rejected this and asserted that he stood by the demands made in his letter of 7 July. When the Viceroy refused to accept these conditions, Jinnah said that the League could not co-operate.[26]

The Conference met for the last time on 14 July. The Viceroy made a statement announcing the failure of his efforts and accepting full responsibility for the failure. "The main idea underlying the conference was mine. If it had succeeded, its success would have been attributed to me, and I cannot place the blame for its failure upon any of the parties."[27] Jinnah reminded the Conference that, before embarking upon an uncritical condemnation of the League for causing the failure, it must be remembered that the League and the Congress had entirely different angles of approach. If the proposed Executive Council had been formed, every matter before it would have been looked at by the two parties from entirely different points of view. The idea of Pakistan and the idea of a united India were incompatible. The Congress would have had a permanent majority in the new Council. The Viceroy's veto was an inadequate safeguard, and the League could not be content without a provision that if a decision were challenged by a League member it could be carried only by a specified majority. Moreover, if the League was to be given administrative responsibility it must also be given the right to choose its own members to sit in the Council. Finally, he feared that the Congress would make use of any interim arrangement to consolidate its position and gradually to strangle the Pakistan Plan.[28]

[25] Text of Jinnah-Viceroy correspondence in *The Indian Annual Register*, 1945, vol. II, pp. 139-140.

[26] Menon, *op. cit.*, p. 206.

[27] Full text in *Speeches of Lord Wavell, 1943-47*, *op. cit.*, pp. 79-80.

[28] Menon, *op. cit.*, pp. 210-212. Jinnah elaborated these points in a statement issued on the same day, see *Indian Annual Register*, 1945, vol, II, pp. 137-139

All the participants felt sorry that these efforts at a settlement had failed and the Conference ended on a note of regret and uncertainty.

In India as well as Britain it were the Muslims who were generally blamed for the failure of the Simla Conference. Jinnah came under heavy fire for what his critics chose to call his stubbornness and unwillingness to compromise. *The Times*, normally fairly balanced in its views, said that the natural disposition, in spite of Wavell's confession of failure, would be to place the blame on Jinnah and the Muslim League.[29] The *Daily Telegraph* ascribed the failure to the ancient hostility between the Muslims and the Hindus.[30] For the *News Chronicle* the responsibility for the failure was "Mr. Jinnah's and Mr. Jinnah's alone"; but, it added, "the Muslim League is no more completely representative of Muslim India than the Congress is completely representative of Hindu India".[31] The *Observer* contented itself with the remark that "the more obvious blame" falls on Jinnah.[32]

However no blame can be attached to Jinnah in the matter. It is true that it was his refusal to let any party other than the Muslim League name the Muslim Councillors that caused the breakdown. But three things must be kept in mind while apportioning blame or praise among the Indian parties and leaders.

In the first place, Jinnah was not only, as he always claimed, the leader of Muslim India, but during the Conference he also enjoyed the support of some non-Congress non-Muslim elements of the Indian population. The president of the Indian Christian Association, Robert Albert Jesudasan, had wired to Jinnah, pointing out that the Christian community had not been invited to the Conference, and requesting Jinnah to look after their interests at the Conference table. Similarly the Secretary of the South Indian Liberal Federation, M. Damodaran Naidu, resented

29 *The Times*, 16 July, 1945.

30 *Daily Telegraph*, 16 July, 1945.

31 *News Chronicle*, 16 July, 1945.

32 *The Observer*, 18 July, 1945.

the Congress claim of representing the whole of India and told Jinnah, "in the absence of any representative of ours in the Conference at Simla, we authorise you to put forward our claim. We have every confidence in your wisdom and sense of fairness".[33]

Thus Jinnah could rightly claim that he spoke for at least as many non-Muslims as the Muslims for whom the Congress could speak. Even then few questioned the right of the Congress to speak for all non-Muslims. How could then it be argued that Jinnah could not speak for the Muslims only because a handful of them were with the Congress or formed splinter groups to question his leadership?

In the second place, Jinnah's principal claim was that the League alone was entitled to send Muslim members to the proposed Council. He made this claim on two grounds: that the Muslims of India were a separate nation, and that the League alone could speak for that nation. At Simla these very principles were at stake. If the Muslims were a separate nation, they could speak only through their national organization, the League. If Jinnah had yielded on these points, he would have given away his whole case and posterity would not have forgiven him. Even if the claim of the Muslims to be a nation could not be conceded at that time, any group of persons can be represented in government only through the majority of its representatives. Though as yet there had been no elections, it was fairly well known that Jinnah and the League enjoyed overwhelming support of Muslim India.[34] The general elections held soon after the Conference confirmed beyond doubt that Jinnah's claim was based on solid facts. With this certainty Jinnah could not agree to the Muslim representation being shared by other groups who had no following.

In the third place, the League's policy *vis-a-vis* the Conference must be studied in relation to its over-all strategy. It related the

[33] A. A. Ravoof, *Meet Mr. Jinnah*, *op. cit.*, p.165.

[34] This had been amply proved by bye-elections, Coupland, *India, a Restatement* (London: 1945), p. 184.

Conference to its own grand objective. "Would its acquisition of a few seats on the Central Executive bring it any nearer to achieving Pakistan? Judging by his statements to the press, Jinnah was by no means sure that it would." He thought it probable that the Wavell plan would play into the hands of the Congress because in the new Council Muslims would be a minority of one-third. On all fundamental issues "Congress would invariably command a majority and the Muslims would as invariably be outvoted". "In fact, the more British spokesmen, with a view to convincing India and the world of the genuineness of their proposals, emphasized that the new Council would enjoy the reality of power, the more cause did Jinnah find to apprehend that the plan would mean the establishment of that Hindu domination which would kill all hope of Pakistan." To Jinnah a weak executive, lacking the support of any political party, was "infinitely preferable to a strong executive with a Congress majority". It may not be far from the truth to say that Muslim League policy was then concerned "less with acquiring power for itself than with denying it to its opponents".[35]

In conclusion, it may be said, that the League did not lose much by the failure of the Conference and, given the then existing Hindu-Muslim relations, it would not have gained much by the success of the Conference. Those who think that a golden opportunity of having a "national" government was foolishly lost must remember the way in which the interim government of 1946-47 worked. Moreover, the abandonment of the Wavell plan strengthened Jinnah more than the Congress. It weakened the position of the non-League Muslims who realized that, in spite of their loyalty to other parties, Jinnah alone could settle affairs on behalf of the Muslims.

General elections

The Simla Conference had failed to bring about a political *rapprochement* primarily because it was not possible then to

[35] The point made in this paragraph is well argued in E. W. R. Lumby, *The Transfer of Power in India, op. cit.*, pp. 54-56.

verify the claims made by the Congress and the Muslim League regarding their representative character. This omission was now rectified. On 21 August, 1945 the Viceroy made two important announcements. The first was that elections to the central and provincial legislatures would be held in the coming winter. The second informed the public that he would shortly be going to London for consultations with the British Government. His visit to Britain lasted from 24 August to 16 September. On 19 September Wavell made a statement on behalf of His Majesty's Government. After confirming that general elections would be held, the announcement went on to say that after the elections a Constitution-making body would be set up. The Viceroy would also take steps to bring into being an Executive Council "which will have the support of the main Indian Parties".[36]

Indian reaction to this pronouncement was not favourable. Jinnah declared on behalf of the Muslim League that no settlement would be acceptable except on the basis of Pakistan.[37] The All India Congress Committee characterized the proposals as "vague and inadequate and unsatisfactory" and pointed out the omission of any reference to independence.[38]

After thus expressing their disapproval of the official plan, both the parties began earnest preparations for the coming electoral conflict. It was clear to all that the elections would be crucial and would decide the future of India. They would determine the standing of the two main parties and their result would materially affect the ultimate decision.

The elections were fought on one of the simplest possible platforms. The League was fighting to vindicate its claim of speaking for Muslim India and to prove the popular backing for the Pakistan demand. Its manifesto may be summarized in two sentences: the Muslims of India are a nation; Pakistan is the only sensible solution of the Indian problem. The Congress, on the

[36] Wavell, *op. cit.*, pp. 83-85.
[37] Menon, *op. cit.*, p. 220.
[38] *India Annual Register*, 1945, vol. II, pp. 93-94.

other hand, stood on two exactly opposed slogans: the Congress represents all Indians; India will remain one undivided country. Between two such far-flung ideals there could be no compromise. It was a fight between two irreconcilable nationalisms.

Jinnah toured India in order to attract wavering Muslims to his party. He spoke of the dire need for unity, for the sinking of all differences, for facing the enemy with resolution and confidence, and for standing as one united nation. The hour made one peremptory demand: to "vindicate not only your national character but your national claim". He appealed to all non-League Muslims to join the party at that critical juncture.[39]

The Congress countered this propaganda with political abuse. The Congress press painted Jinnah in the blackest hues and characterized the Pakistan demand as "vivisection of Mother India", "reactionary primitivism" and "religious barbarism". It accused the Muslim League of being an ultra-conservative clique of Knights and Khan Bahadurs, capitalists and landlords, toadies and Government pensioners. The Congress strengthened its links with such minor and insignificant non-League Muslim groups as the Momins, the Ahrars, the Shia Conference and the Jamiat Ulama-i-Hind. In the Panjab it supported the Unionist Party against the League.[40]

The elections were held in two stages. In December 1945 the central legislative assembly was elected. The results showed how finely the assembly was divided between the League and the Congress. The Muslim League won every single Muslim seat, the "Nationalist Muslims forfeiting their deposits in many instances".[41] The Congress success in the non-Muslim constituencies was equally spectacular. The League won 86.6 per cent of the

[39] Jinnah made innumerable speeches during this hectic election campaign. Some of them are reproduced in Jamil-ud-Din Ahmad, *op. cit.*, vol. II, pp. 282-290, 292-305, 307-355, 360-374.

[40] A. B. Rajput, *Muslim League Yesterday and Today* (Lahore: 1948), p. 97.

[41] Menon, *op. cit.*, p. 226.

total Muslim votes, and the Congress 91.3 per cent of the total "general" votes. The final figures for the central Assembly were:

Congress	57
Muslim League	30
Independents	5
Akali Sikhs	2
Europeans	8
Total	102

In the previous Assembly, elected in 1934, the figures at the time of dissolution were:

Congress	36
Muslim League	25
Independents	21
Nationalist Party	10
Europeans	8
Total	100

The Central Election Board of the Congress issued a bulletin on 6 January, 1946, in which it claimed that the election results had vindicated the Congress as "the biggest, strongest and most representative organization in the country". This claim was not justified because out of a total of 102 seats the Congress had won only 57, a little over half. With such success it could not be claimed that the Congress represented all India.

Provincial elections were held in early 1946, and here again the two main parties swept their respective constituencies. The Congress won a total of 930 seats, gaining an absolute majority in eight provinces. The Muslim League captured 428 out of the possible 492 Muslim seats. The case of Sind calls for special mention. After the elections the League commanded exactly half the votes in the assembly. Therefore a fresh election was held in December 1946 in which the League gained a majority over all other parties.

Formation of provincial ministries

In Assam the Congress had a clear majority and it formed a ministry under Gopinath Bardolai. One Nationalist Muslim was included in the Cabinet. Two seats were offered to the Muslim League on condition that it agreed to work the Congress parliamentary programme, but the League rejected the offer because of the presence of a Nationalist Muslim in the ministry.

Similarly, the Congress formed ministries in Bihar, the United Provinces, Bombay, Madras, Central Provinces and Orissa. In all these provinces the Congress offered to co-operate with the League offering however its own terms. The League could not but reject such offers.

As for the Muslim provinces, the North-West Frontier Province can be dealt with briefly. The Congress won a clear majority and formed the ministry under Khan Sahib.

In Sind the League won 27 seats and one Independent Muslim joined the party later. Three seats went to the Nationalist Muslims and four to G. M. Sayyid's group which had left the Muslim League just before the elections. The Congress had 21 seats, the Europeans three and there was one Indpendent Labour member. The Sayyid group (4) formed a coalition with Congress (21) and the Nationalist Muslims (3). Thus each of the two sides came to have 28 seats. The Governor asked the League leader, G. H. Hidayatullah, to form the government. He offered 2 Hindu seats to the Congress, but it insisted that G. M. Sayyid, the leader of the coalition, should be approached. As the League did not, on principle, deal with non-League Muslims, the offer was suspended. Later another election was held in which the League won a clear majority.

In Bengal, H. S. Suhrawardy, the leader of the League parliamentary party, was invited to form a ministry. As the League had won only 113 seats in a house of 250, Suhrawardy negotiated with the Congress for forming a coalition but the talks ended without

success and a League ministry was installed with the support of independent elements.

In the Panjab, the League had won 75 out of 86 Muslim seats. The ruling Unionist Party had, in spite of Congress and Sikh support, suffered an ignominious defeat and had been reduced to an insignificant group of 20. Four Unionists later joined the League (raising the League strength to 79) and six went over to independent and other benches, leaving the Unionist group with a total following of 10. It was the Unionist group whose representative was sought to be included in the proposed interim government under the Wavell plan, which led to the failure of the Simla Conference. Thanks to the Communal Award of 1932, the League, by far the largest party in the house, could not form a ministry by itself. The Congress and the Sikhs entered into an alliance and stipulated three conditions for their co-operation with the League: first, that the Congress would be free to nominate as ministers persons belonging to any community; secondly, that the Congress-Akali group would have half the seats in government; and thirdly, that extra-provincial questions, like Pakistan, would not be brought before the assembly. These terms were obviously unacceptable to the League, which then tried to reach an understanding with the Akali Sikhs alone, but they insisted, as a condition of co-operation, that in the event of the creation of Pakistan a Sikh State would be formed in the Panjab. As the League was unable to give such an assurance, the Sikh-League-coalition failed to materialize. It was then that the Congress entered into an alliance with the Akali Sikhs and the Unionists to form a coalition ministry.[42]

The developments in the Panjab call for two comments. In the first place, the Congress anxiety to forge alliances with the enemies of the League showed that it was prepared to go to any length to keep the League out of office in a province which was generally considered the "heart" of Pakistan. The conditions which the Congress, in co-operation with the Sikhs, laid down for the League to accept were a reminder of the insulting conditions dic-

[42] For details see *Civil and Military Gazette*, 7 and 21 March, 1946.

tated by the United Provinces Congress party to the provincial League in 1937. In view of the League antipathy to the nomination of Muslim ministers by the Congress it is manifest that the Congress offer of coalition was an empty gesture without any intention of working with the League. The Congress attitude appeared to be that as it could not form a ministry by itself it would see to it that the League also was not allowed to enter office.

In the second place, the Congress keenness on forming a coalition with the Unionists was not only in contradiction to its election manifesto but also to all its past claims and history. In 1937 the Congress had refused its co-operation to the League because, according to the Congress leaders, the League was a reactionary party and the Congress could not compromise its progressive spirit by working with it. But now the Unionists were discovered to be a progressive lot, co-operation with whom would advance the Congress plans for social and economic uplift. Further the Unionists were a discredited group whose policy and plan of action had been repudiated by all but ten members, because during the short interval between the end of the election and the formation of the coalition the 20 member-group had dwindled to a mere ten. Most of them were landlords who did not look kindly upon enlightened views and were by any standards more backward and old-fashioned than even the most reactionary among Muslim Leaguers. But all these considerations were thrown to the wind and Abul Kalam Azad triumphantly announced the alliance between the Congress and the Unionists. To crown all, this ministry, which was formed by 51 Congress members, 22 Akali Sikhs and 10 Unionists, was headed by the leader of the smallest component of the Coalition, Sir Khizr Hayat Khan Tiwana, whose party had been swept into limbo in the elections. Political opportunism could hardly go further.

The general policy of the Congress towards ministry-making in Muslim provinces was thus one of obstruction and intrigue. The idea was to harry and harass the League parliamentary parties so that no League ministry could come into office and, if this was

unfruitful, to intrigue against the League administrations with a view to breaking them. Sind and the Panjab conclusively prove the truth of this conclusion.

Muslim League Legislators' Convention

In April 1946 Jinnah called at Delhi a convention of all those persons who had been elected members of provincial and central legislatures on Muslim League ticket. Over five hundred members attended this unique gathering which one writer has aptly called a "Muslim Constituent Assembly".[43] Among the visitors were some Akali leaders including Giani Kartar Singh.[44]

In his opening speech Jinnah concentrated on the Pakistan problem, elaborating its details, arguing for its creation and forecasting dire things for the Muslims of India if a Hindu majority government succeeded the British. Re-affirming his faith in Pakistan, he said, "they may check us. They may obstruct, but nobody can prevent us from reaching our goal. They can only delay us for a little time. With hope, courage and faith we shall win."

H. S. Suharwardy moved the main resolution which demanded "a sovereign independent state, comprising Bengal and Assam in the north-east zone and the Panjab, the N.W.F.P., Sind, and Baluchistan in the north-west zone". It declared that "the Muslim nation will never submit to any constitution for a united India and will never participate in any single constitution-making machinery set up for the purpose". The British Government was told that the acceptance of the Muslim League demand of Pakistan and its implementation without delay were "the *sine qua non* for Muslim League co-operation and participation in the formation of an interim government at the Centre".

Before the convention was dissolved every member of the Central and Provincial Legislative Assemblies took the following oath:

[43] A. A. Ravoof, *op. cit.*, p. 186.

[44] M. H. Saiyid, *Mohammad Ali Jinnah: A political study* (Lahore: 1962 ed.), p. 405.

"I do hereby solemnly declare my firm conviction that the safety and security, the salvation and destiny of the Muslim nation inhabiting the sub-continent of India lie only in the achievement of Pakistan, which is the only equitable, honourable and just solution of the constitutional problem and which will bring peace, freedom and prosperity to the various nationalities and communities of this great sub-continent.

"I most solemnly affirm that I shall willingly and unflinchingly carry out all the directions and instructions which may be issued by the All India Muslim League in pursuance of any movement that may be launched by it for the attainment of the cherished national goal of Pakistan. Believing as I do in the righteousness and the justice of my cause, I pledge to undergo any danger, trial or sacrifice which may be demanded of me."[45]

[45] Text of Jinnah's speech, resolution and pledge in *Civil and Military Gazette*, 10 and 11 April, 1946.

CHAPTER 11

The Cabinet Mission

A new effort

The failure of the Simla Conference had created a dangerous stalemate in Indian politics. The results of the general elections, which presented the Hindu-Muslim problem in its stark reality, gave urgency to the need of a solution. The Viceroy had tried his hand and failed. It was now the turn of the British Government to take the initiative.

On 19 February, 1946, Lord Pethick-Lawrence, the Secretary of State for India, in the House of Lords, and C. R. Attlee, the Prime Minister, in the House of Commons, made an important announcement. In view of the paramount importance of the Indian problem, it said, His Majesty's Government had decided to send out to India "a special mission of Cabinet Ministers" consisting of the Secretary of State for India (Lord Pethick-Lawrence), the President of the Board of Trade (Sir Stafford Cripps) and the First Lord of the Admiralty (A. V. Alexander). The Viceroy was to be fully associated with the acts and deliberations of the Mission. The Mission would consider the most fruitful method of giving effect to the following programme: "first, preparatory

discussions with elected representatives of British India and with Indian States in order to secure the widest measure of agreement as to the method of framing a Constitution; second, the setting up of a Constitution-making body; and third, the bringing into being of an Executive Council having the support of the main Indian parties".[1]

Any move towards breaking the frustrating deadlock was bound to be well received in India. The fact that this announcement was non-committal made the reception even more enthusiastic. The general feeling was that at least some step was being taken in right earnest and not merely contemplated in the direction of finding a solution.

Jinnah said that he hoped to make the Cabinet Mission realize the true situation and to convince them that the division of India into Pakistan and Hindustan was the only just and sensible solution of the problem.[2]

In a debate in the House of Commons on 15 March on the Mission's visit to India, Attlee intervened to make a significant declaration, "We are mindful of the rights of the minorities and the minorities should be able to live free from fear. On the other hand, *we cannot allow a minority to place their veto on the advance of the majority*".[3] This pleased the Congress very much, and some of the Congress newspapers believed that Britain had finally made up its mind to by-pass the Muslims.[4] Gandhi was "very cheerful about it".[5]

But Jinnah was naturally perturbed. Attlee, he said, had "fallen into a trap of false propaganda that has been carried on for some time". There was no question of a minority holding up the advance of constitutional progress or of obstructing the independence of India. "I want to reiterate that the Muslims of India

[1] *The Indian Annual Register*, 1946, vol. I, p. 129.

[2] See Menon, *op. cit.*, p. 234.

[3] H. C. 420. 5s, col. 1422. *Italics* not in the original.

[4] See *The Times*, 18 and 19 March, 1946.

[5] K. P. Bhagat, *op. cit.*, p. 340.

are not a minority, but a nation, and self-determination is their birth-right."[6]

The negotiations

The Cabinet Mission arrived in Delhi on 24 March. For the next fourteen days the Mission interviewed and exchanged notes with party leaders, provincial chief ministers, leaders of the opposition, spokesmen of minorities, representatives of special interests, rulers of native states and their ministers and advisers.

Abul Kalam Azad met the Mission on 3 April to argue the Congress case. He built up his argument on the basis of independence and on the assumption that the future Constitution would be drawn up by a Constitution-making body. The Congress wanted a federal government with a limited number of compulsory federal subjects, such as defence, communications and foreign affairs, autonomous provinces in which would vest the residuary powers. It would never agree to the partition of India. Gandhi was the next to be interviewed. He was brief and bitter. In his opinion the substance of Pakistan was "independence of culture and the satisfaction of legitimate ambitions". The C. R. formula had met these points and could be made the basis for negotiations. He could not go further because, beyond that, Pakistan was an "untruth".

Jinnah saw the Mission on 4 April. Underlining the disunity of India he said that differences in India were far greater than those between European countries and were of a vital and fundamental character. There was no other solution but the division of India. There were in that country two totally different and deeply-rooted civilizations existing side by side and the only solution was to have two States.[7]

After meeting other leaders and acquainting themselves with the views of various parties, the Mission saw Jinnah again on

[6] Quoted in Muhammad Ashraf, *Cabinet Mission and After* (Lahore: 1946), p. 3.

[7] The three inverviews are recounted in some detail by Menon, *op. cit.*, pp. 237-242.

16 April, and the Secretary of State told him that the Mission had come to the conclusion that "the full and complete demand in the form presented by Jinnah" had little chance of acceptance. He gave Jinnah the choice between a sovereign but smaller Pakistan and a non-sovereign but larger Pakistan. If the Muslim League insisted upon the inclusion of all the territories (six provinces of the Lahore Resolution) some element of sovereignty would have to be relinquished. If full sovereignty was desired the League claim to non-Muslim territories could not be accepted. Jinnah replied that if once the principle of Pakistan was conceded the question of territories could be discussed later. If the Congress would say that on that basis they wanted certain defined areas taken away from Pakistan, he was prepared to discuss whether what they proposed was reasonable, fair and practicable. He undertook to try his best to reach agreement with the Congress, but if what they proposed struck at the heart of Pakistan, or if the principle of Pakistan was not accepted, it was useless to pursue the matter.[8]

Azad was called in on 17 April and told of the Mission's talk with Jinnah. He expressed his inability to discuss matters without consulting his Working Committee. Later Gandhi and Nehru informed the Mission that the latter's suggestion was unacceptable to them.[9] The Cabinet Mission then proceeded to Kashmir for a short holiday.

On his return from Kashmir, Cripps again saw Azad on 26 April and found him more amenable to a discussion on a three-tier Constitution which he and Gandhi and Nehru had previously rejected. Azad felt that he could get the Congress Working Committee to agree to "a single federation which would be broken up into two parts, legislating for optional subjects". He was prepared to advise his party to participate in talks with the Mission and the League in order to discuss this proposal. Then Cripps saw Jinnah and explained the situation to him. Jinnah also agreed to

8 *Ibid.*, pp. 248-251.

9 *Ibid.*, pp. 252-253. He does not give the date on which this rejection was conveyed to the Mission.

consider the suggestion in a joint meeting with the Congress and the Mission.[10]

On 27 April, therefore, the Secretary of State for India sent identical letters to Jinnah and Azad, requesting each of them to send four negotiators to meet the Mission with a view to discussing the possibility of agreement upon a scheme based on the following fundamental principles. "A Union Government dealing with the following subjects: Foreign Affairs, Defence and Communications. There will be two groups of provinces, the one of the predominantly Hindu provinces and the other of the predominantly Muslim provinces, dealing with all other subjects which the provinces in the respective groups desire to be dealt with in common. The Provincial Governments will deal with all other subjects and will have all the residuary sovereign rights."[11]

The conference which took place at Simla on 5-12 May was thus a tripartite affair. The three members of the Cabinet Mission parleyed with four Muslim Leaguers (Jinnah, Muhammad Ismail Khan, Liaquat Ali Khan and Abdur Rab Nishtar) and four Congressmen (Azad, Nehru, Vallabhbhai Patel and Ghaffar Khan).

After some preliminary and exploratory talks the Mission put forward on 8 May suggested points of agreement between the Congress and the League. These were:—

1. There shall be an all-India Union Government and Legislature dealing with Foreign Affairs, Defence, Communications, Fundamental Rights, and having the necessary powers to obtain for itself the finances it requires for these subjects.

2. All other powers shall vest in the Provinces.

3. Groups of provinces may be formed and such groups may determine the provincial subjects which they desire to take in common.

10 *Ibid.*, p. 254.

11 Cmd. 6829, No. I, p. 3.

4. The groups may set up their own Executives and Legislatures.

5. The Legislature of the Union shall be composed of equal proportions from the Muslim-majority Provinces and from the Hindu-majority Provinces whether or not these or any of them have formed themselves into groups; together with representatives of the States.

6. The Government of the Union shall be constituted in the same proportion as the Legislature.

7. The Constitutions of the Union and the groups (if any) shall contain a provision whereby any Province can by a majority vote of its Legislative Assembly call for a reconsideration of the terms of the Constitution after an initial period of 10 years and at 10-yearly intervals after that.

8. The Constitution-making machinery to arrive at a constitution on the above basis shall be as follows:

A. Representatives shall be elected from each Provincial Assembly in proportion to the strengths of the various parties in that assembly on the basis of one-tenth of their numbers.

B. Representatives shall be invited from the States on the basis of their population in proportion to the representation from British India.

C. The Constituent Assembly so formed shall meet at the earliest date possible in New Delhi.

D. After its preliminary meeting at which the general order of business will be settled it will divide into three sections, one section representing the Hindu-majority provinces, one section representing the Muslim-majority provinces and one representing the States.

E. The first two sections will then meet separately to decide the Provincial constitutions for their group and, if they wish, a group constitution.

F. When these have been settled it will be open to any Province to decide to opt out of its original group and into the other group or to remain outside any group.

G. Thereafter the three bodies will meet together to settle the Constitution for the Union on the lines agreed in paragraphs 1 to 7 above.

H. No major point in the Union Constitution which affects the communal issue shall be deemed to be passed by the Assembly unless a majority of both the two major communities vote in its favour.

9. The Viceroy shall forthwith call together the above constitution-making machinery which shall be governed by the provisions stated in paragraph 8 above.[12]

These points were discussed on 9 and 11 May, and when there was disagreement the Mission asked each of the two parties to furnish a statement setting out its attitude on the points that were still outstanding.

The Muslim League sent its memorandum on 12 May containing the following terms of offer:

(1) The six Muslim provinces (Panjab, N. W. F. P., Baluchistan, Sind, Bengal and Assam) shall be grouped together as one group and will deal with all other subjects except Foreign Affairs, Defence and Communications necessary for Defence.

(2) There shall be a separate constitution-making body for the six Muslim provinces which will frame Constitutions for the group and the provinces in the group.

(3) The method of election of representatives to the constitution-making body will be such as will secure proper representation to the various communities in proportion to their population in each province of the Muslim provinces group (called Pakistan group).

[12] Gwyer and Appadorai, *op. cit.*, vol. II, pp. 572-573.

(4) After the constitutions of the Pakistan Federal Government and the Provinces are finally framed by the constitution-making body it will be open to any province of the Group to decide to opt out of its group, provided that the wishes of the people of that province are ascertained by a referendum.

(5) It must be open to discussion in the joint constitution-making body as to whether the Union will have a Legislature or not. The method of providing the Union with finance should also be left for decision of the joint meeting of the two constitution-making bodies, but in no event shall it be by means of taxation.

(6) There should be parity of representation between the two groups of provinces in the Union Executive and the Legislature, if any.

(7) No major point in the Union Constitution which affects the communal issue shall be deemed to be passed in the joint constitution-making body unless the majority of the members of the constitution-making body of the Hindu provinces and the majority of the members of the constitution-making body of the Pakistan group, present and voting, are separately in its favour.

(8) No decision, legislative, executive, or administrative, shall be taken by the Union in regard to any matter of controversial nature except by a majority of three-fourths.

(9) In Group and Provincial Constitutions fundamental rights and safeguards covering religion, culture and other matters affecting the different communities will be provided for.

(10) The Constitution of the Union shall contain a provision whereby any Province can, by a majority vote of its Legislative Assembly, call for reconsideration of the terms of the Constitution and will have the liberty to secede from the Union at any time after an initial period of 10 years.[13]

The League delegation made it clear that this offer stood in its entirety and all matters mentioned in it were inter-dependent.

[13] *Ibid.*, pp. 573-574.

On the same day the Congress also sent in its terms of offer, which read as follows:

"(1) The Constituent Assembly to be formed as follows:

(*i*) Representatives shall be elected by each provincial assembly by proportional representation through single transferable vote. The number so elected should be one-fifth of the number of members of the Assembly and they may be members of the Assembly or others.

(*ii*) Representatives from the States shall be elected on the basis of their population in proportion to the representation from British India.

"(2) The Constituent Assembly shall draw up a Constitution for the Federal Union. This shall consist of an all-India Federal Government and Legislature dealing with Foreign Affairs, Defence, Communications, Fundamental Rights, Currency, Customs and Planning as well as such other subjects as, on closer scrutiny, may be found to be intimately allied to them. The Federal Union will have necessary powers to obtain for itself the finances it requires for these subjects and the power to raise revenues in its own right. The Union must also have power to take remedial action in cases of breakdown of the Constitution or in grave public emergencies.

"(3) All the remaining powers shall vest in the Provinces or Units.

"(4) Groups of Provinces may be formed and such groups may determine the provincial subjects which they desire to take in common.

"(5) After the Constituent Assembly has decided the Constitution for the all-India Federal Union as laid down in paragraph 2 above, the representatives of the Provinces may form groups to decide the Provincial Constitutions for their group and, if they wish, a group Constitution.

"(6) No major point in the all-India Federal Constitution which affects the communal issue shall be deemed to be passed by the Constituent Assembly unless majority of the members of the community or communities concerned present in the Assembly and voting are separately in its favour: Provided that in case there is no agreement on any such issue, it will be referred to arbitration. In case of doubt as to whether any point is a major communal issue, the Speaker will decide, or, if so desired, it may be referred to the Federal Court.

"(7) In the event of a dispute arising in the process of constitution-making, the specific issue shall be referred to arbitration.

"(8) The Constitution should provide machinery for its revision at any time subject to such checks as may be desired. If so desired, it may be specifically stated that the whole Constitution may be reconsidered after 10 years."[14]

Along with these "terms of offer" the Congress also submitted a note showing the respects in which its own proposals differed from those contained in the Muslim League "terms of offer". It enumerated ten points of divergence between the two parties:

"(1) The proper procedure is for one constitution-making body or constituent assembly to meet for the whole of India and later for groups to be formed if so desired by provinces concerned. The matter should be left to the provinces. . . .In any event, Assam has obviously no place in the group mentioned, and the North-West Frontier Province, as the elections show, is not in favour of this proposal.

"(2) We have agreed to the residuary powers, apart from the Central subjects, vesting in the provinces. . . .

"(3) The most suitable method of election would be by single transferable vote. If the population proportion is taken we have no particular objection, but this would lead to difficulties in all

[14] *Ibid.*, pp. 574-575.

the provinces where there is weightage in favour of certain communities. . . .

"(4) There is no necessity for opting out of a province from its group as the previous consent of the provinces is necessary for joining the group.

"(5) The Federal Union must have a Legislature, and the Union must have power to raise its own revenue.

'(6) and (7) We are entirely opposed to parity of representation as between groups of provinces in the Union Executive or Legislature. . . .

"(8) This proposal is so sweeping in its nature that no Government or Legislature can function at all. Once we have safeguarded major communal issues other matters, however controversial, require no safeguard. . . .

"(9) We are entirely agreeable to the inclusion of fundamental rights and safeguards concerning religion, culture and like matters in the Constitution. . . . The proper place for this is the All India Federal Union Constitution.

"(10) The Constitution of the Union will inevitably contain provisions for its revision. . . . We would avoid reference to secession as we do not wish to encourage this idea."[15]

Instead of summarizing or paraphrasing them, these terms of discussion, terms of offer and terms of difference have been given *in toto* and in the original so that the basic divergence between the Congress and the League approach is clearly brought out. The gap between the two parties was evidently too large to be bridged over. It will be noticed, however, that while the League made a substantial compromise in scaling its Pakistan demand down to a three-tier federal union, the Congress showed no desire to make comparable concessions. It stuck to its idea of a united India

[15] *Ibid.*, pp. 575-577.

with a sovereign federal centre clothed with full financial authority. It only conceded thc creation of groups, but even there it made exceptions of Assam and the North-West Frontier Province. It made no effort to mcdify its original views to meet the other party half way. On the contrary, the League had gone to a considerable lenght in forsaking an independent Pakistan and choosing to enter an all India Federal Union.

The Plan

After the failure of the Simla talks the Cabinet Mission had no alternative to putting forward their own plan which they considered to be the best possible arrangements by which Indians might decide for themselves the future Constitution of India. This plan was published on 16 May.

The Mission claimed that it had examined "closely and impartially" the possibility of a partition of India because "we were greatly impressed by the very genuine and acute anxiety of the Muslims lest they should find themselves subjected to a perpetual Hindu-majority rule". It confessed that "this feeling has become so strong and widespread amongst the Muslims that it cannot be allayed by mere paper safeguards". But the Pakistan solution was not considered feasible. If a separate sovereign state of Pakistan on the lines claimed by the Muslim League was established it would not solve the communal minority problem because it would leave a large non-Muslim minority in Pakistan and a large non-Hindu minority in Hindustan. If a smaller sovereign Pakistan was created by confining it to the Muslim majority areas alone, this would please neither the Muslims who considered it impracticable nor the Hindus who were opposed to a division of the Panjab and Bengal. "We have therefore been forced to the conclusion that neither a larger nor a smaller sovereign state of Pakistan would provide an acceptable solution of the communal problem". There were, besides, other "weighty" arguments against partition. To disintegrate the whole of the transportation and postal and telegraphic systems would gravely injure both parts of India. The case for a united defence was even stronger. A further considera-

tion was that the Indian States would find it very difficult to associate themselves with a divided British India. Finally, there was the geographical fact that the two halves of the proposed Pakistan state were separated by "some seven hundred miles" and the communications between them both in war and peace "would be dependent on the goodwill of Hindustan". The mission was therefore "unable to advise the British Government that the power which at present resides in British hands should be handed over to two entirely separate sovereign states".[16]

After thus disposing of the Muslim claim the Mission proceeded to indicate the nature of its own solution which in their view "would be just to the essential claims of all parties and would at the same time be most likely to bring about a stable and practicable form of Constitution for all India".

There would be a Union of India, comprising both British India and the Indian States, which should deal with Foreign Affairs, Defence and Communications and should have the power necessary to raise the finances required for these subjects. The Union would have an Executive and a Legislature. Any question raising a major communal issue in the Legislature would require for its decision a majority of the representatives present and voting, of each of the two major communities as well as a majority of all the members present and voting. All residuary powers would belong to the Provinces. Provinces would be free to form groups with Executives and Legislatures, and each group could determine the Provincial subjects to be taken in common. Any Province could by a majority vote of its Legislative Assembly call for a reconsideration of the terms of the Constitution after an initial period of 10 years and at 10-yearly intervals thereafter.[17]

For the purpose of electing a constituent assembly each Province would be allotted a total number of seats proportional to

[16] Cmd. 6821, paras. 4-11.
[17] *Ibid.*, paras 15-17.

its population, roughly in the ratio of one to a million; this provincial quota would be divided among the main communities in each Province in proportion to their population; and the representatives allocated to each community in a Province would be elected by members of that community in its Legislative Assembly. The three main communities recognized for this purpose were General (all non-Muslims and non-Sikhs), Muslim and Sikh. The communal composition of the Constituent Assembly was to be as follows :—

SECTION A

Province	*General*	*Muslim*	*Total*
Madras	45	4	49
Bombay	19	2	21
United Provinces	47	8	55
Bihar	31	5	36
Central Provinces	16	1	17
Orissa	9	0	9
Total:	167	20	187

SECTION B

Province	*General*	*Muslim*	*Sikh*	*Total*
Panjab	8	16	4	28
N.W.F.P.	0	3	0	3
Sind	1	3	0	4
Total:	9	22	4	35

SECTION C

Province	*General*	*Muslim*	*Total*
Bengal	27	33	60
Assam	7	3	10
Total:	34	36	70

Total for British India:	292
Total for Indian States:	93
Total:	385

After a preliminary meeting to decide the general order of business, the provincial representatives would divide up into three Sections (shown in the above table). These Sections would proceed to settle Provincial Constitutions for the Provinces included in each Section and would also decide whether any group constitution should be set up for those Provinces and if so with what Provincial subjects the group should deal. After the coming into operation of the new constitutional arrangements it would be open to any Province to elect to come out of any group in which it had been placed. Such a decision would be taken by the Legislature of the Province after the first general election under the new Constitution.[18]

The Mission attached "the greatest importance . . . to the setting up at once of an Interim Government having the support of the major political parties". The Viceroy had started discussions to this end and it was hoped that an Interim Government would soon be formed in which all the portfolios, including that of War Member, would be held by "Indian leaders having the full confidence of the people".[19]

[18] *Ibid.*, paras. 18-19.

[19] *Ibid.*, para 23. The full text of the Plan is also available in H. C. 422. 5s. Cols. 2109-2120, and in *The Indian Annual Register*, 1946, vol. I, pp. 144-150. Also see *infra* Appendix F.

Indian reaction to the Plan

Gandhi was the first to comment upon the Cabinet Mission proposals and V. P. Menon gives the best summary of his opinion. "It was open to the Constituent Assembly to vary the proposals, to reject or improve upon them; otherwise the Constituent Assembly could not be a sovereign body. Thus the Mission had suggested certain subjects for the Union Centre: the Constituent Assembly could, if they chose, add to them or reduce them. Similarly, it was open to the Constituent Assembly to abolish the distinction of Muslims and non-Muslims which the Mission had felt forced to recognize. As regarding groups, no province could be compelled to belong to a group against its will. *Subject to these interpretations*, Gandhiji said the Mission had brought something of which they had every reason to be proud."[20]

This was a strange welcome indeed. The plan was praised after all its fundamental provisions had been washed away with fateful reservations. We will see later how this opinion of Gandhi was echoed by Jawaharlal Nehru and other Congress leaders and how this "acceptance" made nonsense of the entire plan and of the intentions of the Cabinet Mission.

The *National Herald*, Nehru's daily, wrote triumphantly of the plan: "Pakistan, the Pakistan of Mr. Jinnah's conception, receives a state burial in the document submitted by the Cabinet Mission. And lest there should be any doubt about its demise or any fear of the possibility of its resurrection, it is emphatically announced that the Cabinet Mission's sentence of death on Mr. Jinnah's Pakistan has already obtained the approval of the British Government."[21] This opinion was widely shared by Congress leaders and press, and the *Observer* was constrained to remark that "Congress can and well afford to welcome a plan which comes down on its side by ruling out the Muslim dream of Pakistan".[22]

[20] Menon, *op. cit.*, p. 269. *Italics* not in the original.

[21] Quoted in A. A. Ravoof, *op. cit.*, p. 196.

[22] *Observer*, 19 May, 1946.

On 22 May Jinnah issued a statement embodying his views on the plan. He regretted that the Mission had negatived the Muslim demand which "we still hold is the only solution of the constitutional problem of India and which alone can secure stable Governments and lead to the happiness and welfare not only of the two major communities, but of all the peoples of this subcontinent". The Mission "had thought fit to advance commonplace and exploded arguments against Pakistan and resorted to special pleading couched in a deplorable language which is calculated to hurt the feelings of Muslim India". It seemed that this was done simply to appease and placate the Congress. Then he pointed out certain defects in the plan, but refrained from accepting or rejecting it. The final decision, he said, would be taken by the Working Committee and the Council of the Muslim League.[23]

Though the Cabinet Mission Plan was generally well received in Britain, the *Daily Telegraph* at once put its finger on the weakest point in the Mission's reasoning. The plan's attempt to meet the Muslim demand fell short of the separate State free from Hindu domination which had become the main plank of the Muslim League platform and had secured 85 per cent of the Muslim votes in the elections. The arguments given by the Mission in rejecting Pakistan were perhaps sound, yet "the idea of a Muslim State has taken so firm a hold of the imagination of the Muslim people that it has become a religious faith ignoring alike questions of economics and of the place that India might hold in the world as a united nation".[24]

On 24 May the Congress Working Committee passed a resolution which found the provision for initial grouping inconsistent with the freedom promised to the provinces. This compulsion would infringe the basic principle of provincial autonomy. The Committee made it clear that it read paragraph 15 of the plan to mean that, "in the first instance, the respective provinces will make their choice whether or not to belong to the Section in

[23] Full text of statement in Cmd. 6835. For Jinnah's views see also Jamil-ud-Din Ahmad, *op. cit.*, vol. II, pp. 389-401.

[24] *Daily Telegraph*, 17 May, 1946.

which they are placed". No final decision was possible until this point was clarified.[25]

On 25 May, therefore, the Cabinet Mission and the Viceroy issued a statement saying that the interpretation put by the Congress resolution on paragraph 15 "does not accord with the Delegation's intentions". They went further and laid down that "this is an essential feature of the scheme and can only be modified by agreement between the parties".[26]

The Council of the Muslim League met in Delhi on 6 June to consider the Cabinet Mission Plan. In his inaugural speech Jinnah reminded the Council of the "momentous issues" which faced the Muslims. He was sure that Muslim India would not rest content, until it had established full, complete and sovereign Pakistan. "In fact, the foundation and the basis of Pakistan are there in their own [Cabinet Mission] Scheme."[27] The resolution of the Council began by protesting against the Mission's "unwarranted, unjustified and unconvincing" remarks on Pakistan. Such sentiments should not have found a place in a state document issued on behalf and with the authority of the British Government. To remove all doubts the Council reiterated that "the attainment of the goal of a complete sovereign Pakistan still remains the unalterable objective of the Muslims in India for the achievement of which they will, if necessary, employ every means in their power, and consider no sacrifice or suffering too great". All the same, the League accepted the plan for two reasons. First, grave issues were involved and the League was prompted by its earnest desire for a peaceful solution. Secondly, "the basis and the foundation of Pakistan are inherent in the Mission's plan by virtue of the compulsory grouping of the six Muslim Provinces in Sections B and C".[28] The Council hoped that the plan would

[25] Cmd. 6835, pp. 29-30.

[26] Cmd. 6835.

[27] Jamil-ud-Din Ahmad, *op. cit.*, vol. II, pp. 401-407.

[28] This is of utmost importance and conclusively proves that the League's acceptance was grounded on paragraph 15 of the plan, the para on which the Congress was putting its own interpretation and was to continue to accept no other version, not even of the authors of the plan.

ultimately result in the establishment of a completely sovereign Pakistan. On the short-term plan for the formation of an Interim Government the Council authorized Jinnah to negotiate with the Viceroy and to take such decisions and actions as he deemed fit and proper.[29]

The Muslim League's acceptance of the plan was generally welcomed in India and Britain, and Jinnah was congratulated for his farsightedness and statesmanship in sacrificing the demand for Pakistan in the interest of the common progress of the subcontinent.[30] But neither the Cabinet Mission nor the Congress said a word in recognition of what it had cost the League to abandon its basic and original demand. The only response was a spate of derisive news, articles and cartoons in the Hindu press gleefully announcing the defeat of the League and the resolve of the Congress to follow up this victory by forcing the Mission to yield on all points.[31]

Jinnah's acceptance of the plan was not received well by the rank and file of the Muslim League or the Muslim community in general, except in those circles which were opposed to Pakistan. It speaks volumes for Jinnah's influence that Muslim discontent did not result in a revolt. The instincts of the people were sound. Once a Union government had been established constitutional procedures could hardly sustain the authority of the provinces or of the groups, much less enhance it. The Congress press was right when it thought that the acceptance of the plan by the League meant the burial of the chances of Pakistan coming into existence.

On 8 June, Jinnah wrote to the Viceroy saying that, during their conversation, the latter had assured him that there would be 12 portfolios in the proposed Interim Government: 5 for the League,

[29] Cmd. 6861. Full text also in *The Indian Annual Register*, 1946, vol. I, pp. 182-183.

[30] See *Madras Mail*, as quoted in A. A. Ravoof, *op. cit.*, p. 199 and *Daily Telegraph*, 7 June, 1946.

[31] This is the opinion of a British journalist of Indian experience who cannot be accused of pro-Muslim sympathies. See Arthur Moore, "Wishful Thinking about India", *Nineteenth Century*, January 1947, pp. 12-13.

5 for the Congress, one for the Sikhs and one for the Anglo-Indians or Indian Christians and that the important portfolios would be equally divided between the League and the Congress. He informed Wavell that this assurance had weighed with the Council in accepting the plan and that any departure from this assurance would result in the forfeiture of the co-operation of the League.[32] In reply the Viceroy denied that he had given any such assurance, but "I told you, as I told the Congress, that this was what I had in mind". He hoped that an agreement on the 5 : 5 : 2 ratio would be possible.[33]

On 12 June the Viceroy saw Nehru who suggested that there should be 15 members including 5 Congressmen (all Hindus), four Muslim Leaguers, one non-League Muslim, one non-Congress Hindu, one Scheduled Caste, one Indian Christian, one Sikh and one Congress woman. Wavell refused to accept this as a basis for negotiations.[34] On 13 June, Azad wrote to the Viceroy that the Congress Working Committee was opposed to parity in any shape and that therefore Wavell's proposal of 5 : 5 : 2 was unacceptable.[35] The Viceroy then suggested a new formula: thirteen ministers in the ratio of 6 Congressmen, 5 Muslim Leaguers and two others (minorities). But this was also turned down by the Congress.[36]

To resolve this deadlock the Cabinet Mission and the Viceroy issued their own proposals on 16 June. The Executive Council was now to consist of 14 persons.[37] Six congressmen, five Muslim Leaguers, one Sikh, one Indian Christian and one Parsi. It was made clear that "in the event of the two major parties or either of them proving unwilling to join in the setting up of a Coalition Government on the above lines, it is the intention of the Viceroy

[32] Cmd. 6861.

[33] *Ibid.*

[34] Menon, *op. cit.*, p. 274.

[35] Cmd. 6861.

[36] Menon, *op. cit.*, p. 275.

[37] They were mentioned by name: Baldev Singh, Sir N. P. Engineer, Jagjivan Ram, Nehru, Jinnah, Liaquat Ali Khan, H. K. Mahtab, John Matthai, Muhammad Ismail Khan, Khawaja Nazimuddin, Abdur Rab Nishtar, C. Rajagopalacharia, Rajendra Prasad and Patel.

to proceed with the formation of the Interim Government which will be as representative as possible of those willing to accept the statement of 16 May".[38]

On 25 June the Congress Working Committee rejected the proposals for an Interim Government but decided that the Congress should "join the proposed Constituent Assembly with a view to framing the Constitution of a free, united and democratic India".[39]

On the same day the Muslim League Working Committee had decided in favour of joining the Interim Government on the basis of the statement of 16 June.[40] Now arose the controversy about the interpretation of Paragraph 8 of the Cabinet Mission and the Viceroy's statement of 16 June (quoted above in full). Jinnah interpreted it to mean that "the Delegation and the Viceroy were in honour bound to go ahead with the formation of the Interim Government immediately with those who were willing to come into the Interim Government on the basis and principles set out in their statement of 16 June". In other words, if the Congress rejected the Interim Government proposals, but the League accepted them, the Viceroy was obliged to form a government consisting of the nominees of the Muslim League and of any other parties which had accepted the Cabinet Mission Plan of 16 May. Jinnah told this to the Viceroy in a letter on 27 June.[41] On 28 June the Viceroy wrote back, disagreeing with Jinnah's interpretation and denying that he was then bound to form a government without the Congress, which had rejected the short-term proposals.[42] Jinnah replied on the same day, charging the Viceroy with having chosen "to go back upon your pledged word".[43] Wavell's answer was curt and uncompromising: "We are quite unable to accept your suggestion that we have gone back on our word . . . our course of action was determined by what had been laid down in paragraph 8 of the statement of 16 June."[44]

38 Cmd. 6861.
39 *Ibid.*
40 *Ibid.*
41 *Ibid.*
42 *Ibid.*
43 *Ibid.*
44 *Ibid.*

Wavell had chosen to postpone the formation of the Interim Government rather than to form one without the Congress. By so doing he had exposed himself to valid criticism. Commonsense and political decency did not support his contention. A definite undertaking had been given in paragraph 8 of the statement of 16 June and this was ignored or rather explained away. All impartial opinion supported Jinnah on this point. *The Round Table* asserted that not only the League but the British observers also expected a government to be formed with Jinnah at its head and that that seemed the obvious consequence of acceptance by one party and rejection by the other. The neutral view was that, on the wording of the Viceroy's statement of 16 June, the "balance of logic lay with Jinnah".[45]

To the *Economist* the Viceroy's action gave support to the idea that British policy was "when Congress refuses to play, the Muslims get nothing, but when Muslims also refuse to play, Congress gets power".[46]

In India, the *Statesman* remarked, "Politicians may do so, but it is not the business of statesmen to eat their words. They should not risk bold, sweeping, unequivocal public undertakings unless they mean them, and can be relied upon to fulfil them. What was so emphatically considered needful and proper on 16 June cannot well, within ten days, have radically transformed its nature."[47]

How do we explain Wavell's action? It has been said that the Cabinet Mission and the Viceroy had overworked themselves so much in long, difficult negotiations amid unbearable heat that they were "genuinely unable to interpret plain words like ordinary uninvolved mortals". Another explanation had been offered that

[45] *The Round Table*, September, 1946, pp. 340, 361. Wavell had written to Jinnah on 4 June, "I can give you on behalf of the Cabinet Delegation my personal assurance that we do not propose to make any discrimination in the treatment of either party, and that we shall go ahead with the plan as laid down in the statement so far as circumstances permit if either party accepts but we hope both parties will accept." Quoted in Khalid Bari Saiyeed, *Pakistan, the formative plan* (Karachi: 1960).

[46] *Economist*, 7 August, 1946.

[47] Quoted in Ian Stephens, *Pakistan* (London: 1963), p. 98. He was then the editor of the *Statesman*.

the shift of words (paragraph 8 alternated between "coalition" and "Interim") was deliberate. If that was so, the "Mission's striving after compromise had altogether overreached itself"; in their "efforts to be all things to all men, they had engaged in irreversible ambiguities, putting themselves in moral as well as a verbal quagmire".[48] The truth of the matter seems to be that the Cabinet Mission had expected the rejection of the plan by the League because Pakistan had not been conceded. For that reason it had also expected the Congress to accept it. The intention, therefore, was to try to have a coalition, but if the effort failed, to proceed with the formation of a Government by the Congress alone. When the unexpected happened and the Viceroy was left with the choice of forming an interim government with the League alone, he found himself in a dilemma. He chose to go back on his pledged word rather than have a League government. The reason was that the formation of a government by the League with the Congress in opposition would have offered no solution to the problem of having a broad based government that would have commanded general support. But then people in authority should not make statements without weighing all contingencies that may arise. The Viceroy and the British Government must have been fully aware of the fact that their pledged word was being dishonoured.

The Cabinet Mission left India for Britain on 29 June, leaving the paragraph 8 controversy, leaving the Viceroy to sort out things, and leaving India on the brink of a civil war unparalleled in the hostory of the world.[49]

[48] *Ibid.*, pp. 98-99. For this controversy and also for Jinnah's reactions see M. A. H. Ispahani, *Qaid-e-Azam Jinnah as I knew him*, (Karachi: 1966), pp. 183-184.

[49] Sudhir Ghosh, *Gandhi's Emissary*, (Bombay: 1967), gives a revealing account of the back door secret negotiations between the Cabinet Mission and the Congress leaders. There were no such intimate contacts between the Muslim League and the Cabinet Mission, or for that matter, between the League and the British Government. The intimacy of the Congress-British Government relations worked against Muslim interests at every critical stage. The British had an eye on the future advantages to be reaped from friendship with the larger and more powerful community and were willing to go very far indeed to meet its desires.

CHAPTER 12

The Interim Government

Muslim League rejects the Plan

The All India Congress Committee met at Bombay on 6 July and ratified the Working Committee's resolution of 25 June which had accepted the Cabinet Mission Plan. In commending the resolution[1] to the house Azad, the retiring president of the Congress, said, "The Cabinet Mission's proposals also have once for all time cleared all doubts about the question of the division of India. These proposals have made it clear beyond a shadow of doubt that India shall remain an undivided single unit *with a strong Central Government* composed of the federating units."[2]

In winding up the proceedings of the Committee, Nehru, the new president of the Congress, declared, "so far as I can see, it is not a question of our accepting any plan, long or short. It is only a question of our agreeing to go into the Constituent Assembly. That is all, and nothing more than that. We will remain in the Assembly so long as we think it is good for India, and we will come out when we think it is injuring our cause and then

[1] Text of the resolution in *The Indian Annual Register*, 1946, vol. II, pp. 132-133.

[2] *Ibid.*, p. 132. *Italics* not in the original.

offer our battle. We are not bound by a single thing except that we have decided for the moment to go to the Constituent Assembly. . ."[3] On 10 July, Nehru held a press conference and amplified his statements in the All India Congress Committee. According to him the Congress had agreed to go into the Constituent Assembly and "we have agreed to nothing else". "What we do there, we are entirely and absolutely free to determine. We have committed ourselves on no single matter to anybody." On the grouping clause he said "there will be no grouping". He also indicated that the Union Government would be much stronger than it was contemplated in the Mission Plan.[4]

All competent observers of the Indian scene of that time are unanimous that these statements of Nehru made nonsense of the Congress acceptance of the Cabinet Mission Plan. They fortified the Muslim suspicion that the Congress was utilizing the Mission Plan for creating a fully unitary, strong Congress-dominated government under which the minorities would inevitably be at the mercy of the majority. Lumby thinks that Nehru's speeches constituted a deliberate misinterpretation of facts and goes on to say, "the overriding motive for his posture of defiance was surely the belief that now at last the day of power was at hand. The imminent departure of the British was assured and the Muslim League could be pushed aside or swamped by the national will for freedom in unity . . . [this] under-estimate of the strength of Muslim feeling led it [the Congress] to suppose that its supremacy was unassailable and so to make the tragic error of over-playing its hand."[5] Azad himself unequivocally characterizes these statements as "one of those unfortunate events which change the course of history".[6] Nehru's admiring biographer calls them "the most fiery and provocative statements in his forty years of public life".[7] Penderel Moon writes that it was as if a curse had been laid on

[3] See the full proceedings of the session in *ibid.*, pp. 130-144.

[4] *Ibid.*, pp. 145-147.

[5] E. W. R. Lumby, *op. cit.*, pp. 109-110.

[6] A. K. Azad, *India Wins Freedom: An Autobiographical narrative*, *op. cit.*, pp. 154-155.

[7] Michael Brecher, *Jawaharlal Nehru: A Political Biography* (London: 1959), p. 316.

Nehru and some of his colleagues, causing them "to act in such a way as to bring about exactly the opposite result to that which they intended. They passionately desired to preserve the unity of India; they consistently acted so as to make its partition certain."[8]

Leonard Mosley, the historian of the last days of the British raj, is worth quoting on this point: "Did Nehru realise what he was saying? He was telling the world that once in power, Congress would use its strength at the Centre to alter the Cabinet Mission Plan as it thought fit. But the Muslim League had accepted the Plan (as had Congress) as a cut and dried scheme to meet objections from both sides. It was a compromise plan which obviously could not afterwards be altered in favour of one side or another. In the circumstances, Nehru's remarks were a direct act of sabotage."[9]

The British Government's reaction was not far different from this consensus. On 18 July Lord Pethick-Lawrence, the Secretary of State for India, referred to Nehru's and his colleagues' speeches and said, ". . . they can put forward their views as to how the Constituent Assembly should conduct its business. But having agreed to the statement of 16 May and the Constituent Assembly elected in accordance with that statement, they cannot, of course, go outside the terms of what has been agreed. To do so would not be fair to other parties who come in and it is on the basis of that agreed procedure that His Majesty's Government have said they will accept the decisions of the Constituent Assembly." In the House of Commons, on the same day, Sir Stafford Cripps, alluding to Nehru's declaration that grouping of provinces would not materialize, said, "I do not know myself how such a thing would be possible, but if anything of that kind were to be attempted it would be a clear breach of the basic understanding of the scheme."[10]

[8] Penderel Moon, *Divide and Quit* (London: 1962), p. 14.

[9] Leonard Mosley, *The Last Days of the British Raj* (London: 1961), p. 28.

[10] Both quoted by Menon, *op. cit.*, pp. 281-282.

But from the lips of neither of the two authors of the Cabinet Mission Plan fell a word of reprimand for the Congress on this *volte face* nor a word of solace (not to speak of assurance) to the Muslim League that the Congress would not be allowed to get away with these threats.

In view of these developments, the League was forced to revise its stand. The Council of the party met at Bombay on 27 July to deliberate on the new turn of events. Jinnah, "like an army leader who has come in for armistice discussions under a flag of truce and finds himself looking down the barrel of a cocked revolver,"[11] spoke with some bitterness of the "pettifogging and higgling attitude" of the Congress and of the bad faith of the Cabinet Mission. The League had made concessions to the limit of its capacity but the Congress had shown no appreciation of the sacrifice the Muslims had made.[12]

The Council then proceeded to pass two resolutions of paramount importance. The first stated that, in accepting the long-term plan of the Mission, the League had been influenced by the assurance given to Jinnah that there would be five members each belonging to the Congress and the League in the Interim Government together with two members representing the minorities. The Cabinet Mission had gone back on this assurance. The Congress had not in fact accepted the long-term plan, as was shown by their resolutions about grouping, and that, therefore, even according to the interpretation which the Mission put upon the grouping clause in their statement of 16 June, the Congress was not eligible to participate in the formation of the Interim Government. "The Congress have not accepted it because their acceptance is conditional and subject to their own interpretation which is contrary to the authoritative statements of the Delegation and the Viceroy issued on the 16th and the 25th of May." The result was that "of the two major parties the Muslim League alone has accepted the statements of May 16th and 25th, according to the spirit and letter of the proposals embodied therein"

[11] Leonard Mosley, *op. cit.*, p. 28.

[12] Jamil-ud-Din Ahmad, *op. cit.*, pp. 407-419.

Neither Pethick-Lawrence nor Cripps has "provided or suggested any means or machinery to prevent the Constituent Assembly from taking decisions which would be *ultra vires* and not competent for the Assembly to do so". All this "leaves no doubt that in these circumstances the participation of the Muslims in the proposed constitution-making machinery is fraught with danger and the Council, therefore, hereby withdraws its acceptance of the Cabinet Mission's proposals".[13]

The second resolution stated that "now the time has come for the Muslim Nation to resort to direct action to achieve Pakistan, to assert their just rights, to vindicate their honour and to get rid of the present British slavery and the contemplated future Caste-Hindu domination". The Working Committee was directed to prepare "a programme of direct action" to carry out the policy embodied in the resolution. All Muslims who had received titles from the British Government were asked to renounce them "as a protest against and in token of their deep resentment of the attitude of the British".[14]

In a statement issued immediately after the Council session Jinnah declared, "what we have done today is the most historic act in our history. Never have we in the whole history of the League done anything except by constitutional methods."[15]

It was on this decision that *Blitz*, the pro-Congress Bombay weekly, wrote the following oft-quoted leader: "The worst enemies of the Muslim League cannot help envying the leadership of Mr. Jinnah . . . Last week's cataclysmic transformation of the

[13] Full text in Gwyer and Appadorai, *op. cit.*, vol. II, pp. 618-620.

[14] Full text in *ibid.*, pp. 620-621. The Direct Action resolution of the Muslim League has been criticized by British and Hindu writers who have tried to put the blame for the Calcutta riots on the League. This is most unfair. Jinnah had given strict instructions that the movement was to eschew violence. The Calcutta killings started when the Muslims had left their women and children unguarded and congregated for a meeting in the famous maidan. Besides casualties were extremely heavy among the Muslims during the first day. Only later were the tables turned against the better equipped Hindus. The picture would have been different if the Muslims had made preparation for staging a riot. For a detailed discussion see M. A. H. Ispahani, *Qaid-e-Azam Jinnah as I knew him*, (Karachi: 1966).

[15] Jamil-ud-Din Ahmad, *op. cit.*, pp. 419-423.

League . . . compels us to express the sneaking national wish that a diplomat and a strategist of Jinnah's proven calibre were at the helm of the Indian National Congress. There is no denying the fact that by his latest master-stroke of diplomacy Jinnah has outbid, outwitted and out-manoeuvred the British and Congress alike and confounded the common national indictment that the Muslim League is a parasite of British Imperialism."[16]

But *Blitz* did not represent the general opinion on the League's revolutionary step. Most non-Muslim groups in India and several organs of public opinion in Britain accused the League of haste and of "sacrificing patriotism to pique". [17] But was this true?

The League was convinced that the acceptance of the plan by the Congress was neither genuine nor frank. Too many reservations had figured in the Congress resolution of acceptance. Nehru's statements on the sovereignty of the Constituent Assembly and the impossibility of the grouping of provinces had intensified Muslim fears. Gandhi was simultaneously asking Assam to keep away from Section C and assuring the Sikhs that they could not be compelled against their will into Section B. The British Government was either too indifferent or too weak to put their foot down firmly and tell the Congress either to accept the plan as it stood or to reject it in clear terms. The League had made a major sacrifice in abandoning its demand for Pakistan and agreeing to the Mission plan. It had done so on the solitary ground that the grouping of provinces would result in some sort of Pakistan, or at least in two Muslim blocks, which could not be treated with contempt by the Hindu-dominated Centre. This ground was now cut away from under their feet by the Congress declaration that grouping would not materialize and by Nehru's pronouncement that the powers of the Centre would certainly be enhanced. The Congress was not talking of the Cabinet Mission Plan, but of some plan of its own which it was determined to put into practice as soon as the Constituent Assembly came into existence. The British Government knew this but were not inclined to take a firm stand.

[16] Quoted in A. W. Khan, *op. cit.*, pp. 239-240.

[17] See *The Times*, 13 September, 1946, *Daily Telegraph*, 29 July, 1946, and *Spectator*, 2 August, 1946.

The Muslims stood in peril between Congress intentions and British indifference. Their acquiescence in the Mission Plan had not brought them any advantage. Their sacrifice had gone waste. Now their rejection could not possibly worsen the situation.

In one of his prayer meetings in July Gandhi had said that if the negotiations broke down it would be God's will. "Some persons may be forgiven if they thought it was not God's will, but Gandhi's. The Congress had reintroduced issues upon which decision had already been reached and had raised questions that made compromise impossible."[18] A British official of life-long Indian experience concluded that "if common sense is an element in political maturity, Congress seems to have little claim to that particular quality".[19]

Congress leaders then began to explain away their attitude by saying that they had not objected to grouping in principle but to "grouping being forced upon a province by the weight of the majority of a bigger province placed in the same section"; and that they had called the Constituent Assembly "sovereign" in the sense that "it would not be subject to control from any external authority".[20] But this was palpably wrong for, later in December, the Congress again refused to accept the British Government's verdict that the grouping clause meant what His Majesty's Government and the Muslim League had taken it to mean.

The fact was that the Congress resolution of acceptance was "clad in such involved language that the average person might well be excused for thinking it lacked any meaning[21] . . . to the eyes of common sense, the party's resolution amounted to a rejection".[22]

Congress enters office

On 22 July the Viceroy wrote to the presidents of the Muslim League and the Congress, setting out the proposals for the forma-

[18] Robert Aura Smith, *Divided India* (New York: 1947), p. 219.

[19] Sir William Barton, "The Cabinet Mission to India", *Fortnightly Review*, July, 1946, p. 14.

[20] Menon, *op. cit.*, p. 284.

[21] This is also true of Menon's summary of Congress explanations quoted in the preceding paragraph.

[22] Ian Stephens, *op. cit.*, p. 97.

tion of an "Interim Coalition Government". There would be 14 members of the Government: 6 Congressmen, 5 Muslim Leaguers, 3 representatives of the minorities. "It will not be open to either the Congress or the Muslim League to object to the names submitted by the other party, provided they are accepted by the Viceroy." The two major parties would "each have an equitable share of the most important portfolios".[23]

Nehru wrote on 23 July conveying his inability to accept the terms. Jinnah sent a letter on 31 July saying that there was no chance of his Working Committee accepting the Viceroy's proposals.[24]

Thus both the parties had rejected the proposals and there appeared to be no chance of the formation of an Interim Government. But then there was a radical change in the policy of the British Government. Without any warning or any reasonable ground the Secretary of State for India asked the Viceroy to make an offer to Nehru to form a Government and not to see Jinnah with a view to persuading him to enter the Government. He "fully shared the Viceroy's dislike of an interim Government dominated by one party, but in view of the grave political situation in the country he *agreed* on the necessity for forming an interim Government with popular support".[25]

On 6 August, the Viceroy wrote to Nehru, inviting him to form the Interim Government "on the basis of the assurances contained in his letter of 30 May to Azad". On 8 August the Congress Working Committee accepted the invitation and authorized Nehru to negotiate with the Viceroy. On 17 August Nehru told the Viceroy that he intended to constitute the Government in full strength, filling the 5 Muslim seats with non-League Muslims. The Viceroy differed with this proposal and suggested that the

[23] Gwyer and Appadorai, *op. cit.*, vol. II, pp. 640-641.

[24] *Ibid.*, pp. 641-643.

[25] Menon, *op. cit.*, p. 289. His account is disingenuous. The Secretary of State had not *agreed* but had ordered Wavell to invite Nehru to form the Government. The Viceroy, in fact, did not wholly approve of the idea.

Muslim seats be left open for a time, but Nehru did not agree and insisted on his proposal.[26]

It has recently been disclosed that just before the Congress Interim Government was sworn in the Viceroy once again wrote to the British Government arguing for the posponement of the swearing in until the Muslim League could be persuaded to come in. Attlee overruled the Viceroy on the ground that any delay would "only exacerbate the tempers of the Congress Party leaders and perhaps lead to a definite break between them and the British authorities".[27] Accordingly, on 24 August a communique was issued from Delhi, announcing the appointment of a new Executive Council which would take office on 2 September.[28]

After thus disposing of a matter which went against his grain, the Viceroy went to Bengal to see the ravages wrought by the communal riots in Calcutta. This visit convinced him that if some sort of an agreement between the Congress and the League was not brought about soon, the whole of India would be thrown into a deadly civil war. On his return he made another effort to influence the Congress leaders and to this purpose saw Gandhi and Nehru on 27 August. After describing the Calcutta scene (which neither of the Hindu leaders had cared to visit), he suggested setting up of coalition governments both in Bengal and at the Centre. He argued that the whole controversy related to the interpretation of the grouping clause. The Congress should, therefore, make a categorical statement that it accepted the position that the provinces must remain in their sections until after the first elections under the new Constitution. He told them formally that he would not summon the Constituent Assembly until this point was cleared. He gave them a draft formula which he thought would satisfy the Muslim League. It read as follows:

"The Congress are prepared in the interests of communal harmony to accept the intention of the statement of 16 May that

[26] *Ibid.*, pp. 289-295.

[27] Leonard Mosley, *op. cit.*, pp. 48-49.

[28] *The Indian Annual Register*, 1946, vol. II, p. 228. Persons named were: Nehru, Patel, Rajendra Prasad, Asaf Ali, Rajagopalacharia, S. C. Bose, John Matthai, Baldev Singh, Sir Shafaat Ahmad Khan, Jagjivan Ram, Ali Zaheer and C. H. Bhabha. Two more Muslim members were to be appointed later.

provinces cannot exercise any option affecting their membership of the sections or of the groups if formed, until the decision contemplated in paragraph 19 (viii) of the statement of 16 May is taken by the new legislature after the new constitutional arrangements have come into operation and the first general elections had been held."

In the discussion that followed the Viceroy was aghast at the indifference of the Congress leaders to bloodshed that had already started and was likely to spread to other parts of India if there was no political settlement. He made every possible appeal but failed to change their attitude. The Congress leaders could at the most agree to taking the formula with them and putting it before the Working Committee.[29] On 28 August Nehru informed the Viceroy that the Working Committee had rejected the formula.

This talk had vital repercussions. On their return from the Viceroy's house both Gandhi and Nehru sat down to write letters. Gandhi first sent a cable to Attlee saying that the Viceroy's "state of mind" was such as required some immediate action. Alleging that he was "unnerved owing to the Bengal tragedy", Gandhi said that he should be replaced with "an abler and legal mind". Then he wrote a letter to the Viceroy, charging him with minatory talk, and concluding with the suggestion that if the Viceroy was afraid of increasing communal warfare and of using British forces to suppress it, the British should immediately withdraw and leave the matter of keeping the peace to the Congress. Simultaneously Nehru wrote to a number of influential friends in Britain to the effect that Wavell was a weak man who had lost all flexibility of mind and, in his desire to appease Jinnah, was leading India to disaster. He said that Wavell was pursuing this policy on the advice of Sir Francis Mudie and George Abell, both of whom were in Nehru's opinion, rabidly pro-Muslim (Nehru actually called them "English Mullahs"). 'Wavell must go' was the burden of all his correspondence that night.[30]

[29] For a full account of this dramatic talk see Leonard Mosley, *op. cit.*, pp. 42-44. Menon practically ignores this meeting and its aftermath.

[30] See *ibid.*, pp. 44-47. Gandhi's letter to Wavell is reproduced in full in Pyarelal's *Mahatma Gandhi: The Last Phase* (Ahmedabad: 1956). Menon has not a word to say on this, which makes an objective reader completely lose confidence in him. Also see Sudhir Ghosh, *op. cit.*, p. 47.

These overtures were to bring a rich harvest to the Congress but let us revert to the interim government.

The Interim Government was installed in office on the appointed date, 2 September, 1946. The Congress was jubilant. Pattabhi Sitaramayya, for example, had declared, "within the next few days India will have a National Government. Muslim League may come or not. That would make no difference. The caravan will move on . . . We must now consider ourselves rulers of this land."[31]

The League joins the Council

All Muslim India and several observers in Britain regretted the installation of a one-party government in India at this grave moment. Jinnah had issued a strongly worded statement on 25 August. He had regretted the Viceroy's decision which, he said, was inconsistent with his earlier assurances to the Muslim League and with his previous commitments.[32] On the day the new Government took office, the Muslims throughout India flew black flags on their houses and shops.[33]

In Britain Sir Winston Churchill led the attack on the Government for this decision. He connected the installation of Congress rule with the ensuing "series of massacres" unparallelled "since the Indian mutiny of 1857". He warned that "any attempt to establish the reign of a Hindu majority will never be achieved without a civil war". Cripps had "used his undue influence to give advantage to the Hindus".[34] Later he called it a "cardinal mistake" to have entrusted the Government of India to "the caste Hindu, Mr. Nehru".[35] Lord Templewood, who as Sir Samuel Hoare had piloted the 1935 Act, had already warned the Government against forming a government with the co-operation of one community alone.[36] Lord Scarborough had predicted that

31 Quoted in A. A. Ravoof, *op. cit.*, pp. 209-210.

32 *The Indian Annual Register*, 1946, vol. II, pp. 230-231.

33 Ian Stephens, *op. cit.*, p. 107.

34 H. C. 431. 5s. 12 December, 1946, cols. 1363-1369.

35 H. C. 435. 5s. 6 May, 1947, col. 669.

36 H. L. 142. 5s. 18 July, 1946, col. 590.

there would be strong pressure on the British Government from India to transfer power to one party only and he had hoped that such pressure would be resisted.[37] Lord Cranborne took the Government to task for having broken its faith with the Muslims in June and having allowed the Congress to take office in August, and asked if anything could be more calculated to destroy Muslim confidence in the good faith of the British Government.[38]

The *National Review* pointed out that even before the Constituent Assembly had met the Indian Constitution had been scrapped and power handed over to a party which was Caste-Hindu by composition, quisling by its war record and fascist by policy.[39] The *Economist* asked for the grounds on which this decision had been taken at the moment of maximum conflict between the Hindus and the Muslims.[40]

Within a month of the formation of the Interim Government the Muslim League realized that its exclusion from the Government was playing havoc with Muslim interests. On principle the League had refused to enter office and that principle stood. But political necessity combined with the active hostility of the Home Government (which to the Muslims was best exemplified by the installation of a Hindu Government) compelled the League to change its policy. Muslims would continue to suffer as long as the League was in wilderness. The law and order situation was deteriorating and Muslims stood in great danger of being wiped off in several areas.[41] The Congress was not worried at all. Indeed mischief mongers seemed to be encouraged by having a Hindu government in office. Therefore, the League must join the government to protect Muslim India. Jinnah was now of the opinion that he could conduct the battle for Pakistan better if his party was inside the coalition than outside it.

[37] H. L. 142. 5s. 18 July, 1946, cols. 616-617.

[38] H. L. 145. 5s. 26 February, 1947, cols. 1050-1051.

[39] See J. C. French, "The Cabinet Mission's Legacy", *National Review*, October, 1946.

[40] *Economist*, 24 August, 1946.

[41] For an impartial account of the riots, *see* Sir Francis Tuker, *While Memory Serves* (London: 1950).

The Viceroy was anxious to have the League in the coalition because he was aware of the dangers ahead. Hence long and complicated negotiations were carried on between, on the one hand, Nehru and Jinnah and, on the other, Wavell and Jinnah.[42] Finally, on 25 October the Executive Council was reconstituted as follows[43]:—

Congress	
Jawaharalal Nehru	(External Affairs & Commonwealth Relations).
Vallabhbhai Patel	(Home, Information and Broadcasting)
Rajendra Prasad	(Food and Agriculture)
C. Rajgopalacharia	(Education and Arts)
Asaf Ali	(Transport and Railways)
Jagjivan Ram	(Labour)
Muslim League	
Liaquat Ali Khan	(Finance)
I. I. Chundrigar	(Commerce)
Abdur Rab Nishtar	(Communications)
Ghazanfar Ali Khan	(Health)
J. N. Mandal	(Legislative)
Minorities	
John Matthai	(Industries and Supplies)
C. H. Bhabha	(Works, Mines and Power)
Baldev Singh	(Defence)

The Congress did not welcome the entry of the Muslim League in the Government. Their monopoly was broken and this was not a pleasing thought. Moreover, Jinnah had agreed to send his party into the Council on Wavell's request, not on Nehru's though the terms offered by each were identical. This must have hurt Nehru's pride. Further, the new Council was no longer to be under Nehru's influence and authority. Jinnah's astonishing decision to include a scheduled-caste in the League quota was another blow to Congress professions that it alone was the protector of

42 For texts of correspondence see *The Indian Annual Register*, 1946, vol. II, pp. 265-269, 273-274, 281.

43 Gwyer and Appadorai, *op. cit.*, pp. 654-655.

that unfortunate community as well as to its repeated allegation that the League was a purely communal organization. All these factors combined to harden even further the Congress attitude towards the League. The Hindu-Muslim conflict raging in India had now also entered the Council chamber.

Nehru lost no time in writing to the Viceroy (on 26 October) that he regretted the choice of nominees which the League had made. "The choice itself indicated a desire to have conflict rather than to work in co-operation."[44] Gandhi declared that the League's entry into the Government was not "straight".[45]

By entering the Government the Muslim League gained four distinct advantages. In the first place, Jinnah was able to circumvent the conditions laid down earlier by the Viceroy. In June the League had been kept out of office in spite of having accepted both the long-term and short-term plans of the Cabinet Mission. Now it joined the Government in spite of having refused to commit itself even to the short-term plan. Secondly, the inclusion of a scheduledc-aste member among its nominees was the Muslim retort to the Congress claim to represent Nationalist Muslims. Thirdly, the League was now in a position to look after the interests of the Muslims. Finally, the League bloc in the Government would be an effective check against the attempts of the Congress to introduce vital changes which might prejudice the Muslim case for Pakistan.[46]

Besides expressing his dislike for the League personnel, Nehru was also obdurate in the matter of distribution of portfolios. The Viceroy wanted the League to be given one of the three important departments, *viz.*, External Affairs, Home or Defence. Nehru strongly opposed this[47]. Ultimately it was decided to give the following five portfolios to the League: Finance, Commerce, Communications, Health and Law. It was said that the Congress

[44] Quoted in Menon, *op. cit.*, p. 317.

[45] Quoted in *ibid.*, p. 317.

[46] See M. H. Saiyid, *op. cit.*, pp. 420-421.

[47] Menon, *op. cit.*, p. 320.

agreed to giving Finance to the League on the calculation that the Muslims would not be able to handle this subject and "would make fools of themselves".[48] Later Abul Kalam Azad bitterly regretted this decision and attributed it to the bad judgement of his Congress colleagues.[49]

The Constituent Assembly

By the end of July 1946 British India had elected its 296 representatives to the Constituent Assembly. The Congress had won all the general seats except nine and the Muslim League all the Muslim seats except five. The first meeting of the Assembly had been tentatively called for 9 December. But the League refused to participate in the Assembly proceedings or even to recognize it as a valid body until the Congress gave an undertaking that it accepted the Muslim League interpretation of the clause regarding the grouping of the provinces (which, the League rightly said, was the only correct interpretation). As has been mentioned above, the Viceroy had tried to persuade the Congress leaders to accept this intrepretation but had been rewarded with secret cables and letters from Gandhi and Nehru to British Government urging the Viceroy's removal. Now he warned the Secretary of State that India was very near to open civil war and that calling the Assembly into session would probably precipitate the outbreak.[50] But he realized that it was not possible to delay the Assembly without changing the whole official policy. On 20 November, therefore, he issued invitations for the meeting of the Constituent Assembly under the Cabinet Mission Plan.

Jinnah at once characterized this as "one more blunder of a very grave and serious character". "The Viceroy did not appreciate the serious situation and its realities and was trying to appease the Congress." No Muslim League representative was to attend the Assembly when it met on 9 December.[51]

[48] Ian Stephens, *op. cit.*, p. 114.

[49] See A. K. Azad, *op. cit.*, p. 167, 168.

[50] Menon, *op. cit.*, p. 324.

[51] *The Indian Annual Register*, 1946, vol. II, p. 279. This statement was issued on 21 November. See also his speech at a press conference at Karachi on 26 November, Jamil-ud-Din Ahmad, *op. cit.*, vol. II, pp. 482-489.

In face of these irreconcilable attitudes of the Congress and the League, the British Government decided to make one more effort to bring about a settlement. Two Congress leaders and two Muslim League leaders were invited to London for talks. On the Viceroy's suggestion a Sikh representative was also included among the invitees.

In the meantime the Congress was getting more and more aggressive in its demand for the removal of the Muslim League from the Government unless it agreed to participate in the Assembly deliberations. Nehru went even further and not only charged the League with being the "King's Party" in the Government but also alleged that there was a "mental alliance" between the League and the senior British officials. "Our patience is far reaching the limit," he said, "if these things continue, a struggle on a large scale is inevitable."[52]

The flimsy basis of these allegations was revealed soon after. When Liaquat Ali Khan protested against these allegations and declared that the League bloc in the Council had never invoked the Viceroy's special powers or asked for his intervention, Nehru persisted in his opinion that, by "its policy of stressing the legal position and preventing the Government from functioning as a Cabinet", the League had made itself into a "King's Party".[53] If Menon has correctly quoted Nehru, the reason for Congress aspersions on the League is not far to seek. The League Councillors had refused to recognize Nehru as the head of the Interim Government or even as the head of the non-League bloc. Jinnah had pointed out that the Interim Government was nothing but the Viceroy's Executive Council reconstituted on political lines. The Viceroy remained its head and retained all his special powers. Nehru was merely the Vice-president of the Council who presided when the Viceroy was absent but enjoyed no more powers and had no higher status than the other Councillors. It was grossly

[52] Quoted in Menon, *op. cit.*, pp. 326-327. It sounds strange that Nehru should have been so oblivious of Congress-British Government *entente* as to accuse the League of having the support of British officials.

[53] *Ibid.*, p. 327.

misleading to call the Interim Government a "National Government" or to characterize the Council as a "Cabinet". But Congress leaders continued to harp upon the "collective responsibility" of the "Cabinet" which the League had disrupted. Some Hindu newspapers even called Nehru the "Prime Minister" of India.[54] It was obvious that the League could not have supported these pretensions without damaging the Muslim cause irretrievably.

Jinnah, Liaquat Ali Khan, Nehru and Baldev Singh arrived in London on 2 December, 1946, for talks with the British Government. The discussions were unfruitful and on 6 December the Government issued a statement regretting that no agreement had been reached and resolving the controversy about the grouping clause by giving their own authoritative interpretation.

The Cabinet Mission have throughout maintained the view that the decisions of the sections should, in the absence of agreement to the contrary, be taken by a simple majority vote of the representatives in the Sections. This view has been accepted by the Muslim League, but the Congress have put forward a different view . . . His Majesty's Government have had legal advice, which confirms that the statement of 16 May means what the Cabinet Mission have always stated was their intention. This part of the statement as so interpreted must therefore be considered as an essential part of the scheme of 16 May for enabling the Indian people to formulate a Constitution which His Majesty's Government would be prepared to submit to Parliament. It should therefore be accepted by all parties in the Constituent Assembly."[55]

Nehru said that this statement amounted to "a variation and extension" of the Cabinet Mission plan of 16 May, and therefore the Congress would have to consider the whole situation.[56]

[54] This was repeated in the pro-Congress leftist press in Britain. The *New Statesman*, for example, called the Interim Government a "Cabinet bound by collective responsibility, with Nehru as Premier", 7 September, 1946. In his memoirs published in 1960 Lord Ismay, Mountbatten's Chief of Staff in India, calls Nehru the "Deputy Prime Minister", *The Memoirs of General the Lord Ismay* (London: 1960), p. 418. Of course the term used by Ismay is even more absurd. Was the Viceroy the Prime Minister whose Deputy was Nehru?

[55] *The Indian Annual Register*, 1946, vol. II, p. 301.

[56] Menon, *op. cit.*, p. 331.

On 22 December the Congress Working Committee reiterated that the British Government's interpretation was not in conformity with the "fundamental basis" of the Cabinet Mission plan. But the Committee did not commit itself and left the decision to the All India Congress Committee.[57] The All India Congress Committee met on 5 January, 1947, and rejected the official interpretation.[58] The Muslim League Working Committee passed a lengthy resolution on 31 January, which took notice of the British Government's interpretation (which was the same as the League's) and of the Congress rejection of it. As the Congress, the Scheduled-Castes and the Sikhs had refused to accept this interpretation, and therefore the Cabinet Mission plan of which it was an essential part, the elections to the Constituent Assembly and the summoning of it were "*ab initio* void, invalid and illegal" and its continuation, proceedings and decisions were "*ultra vires*, invalid and illegal". The Assembly should be dissolved at once. In these circumstances there was no need of calling the Muslim League Council to reconsider its decision of July 1946.[59]

The British Government's statement of 6 December had contained one pregnant paragraph: "There has never been any prospect of success for the Constituent Assembly except on the basis of an agreed procedure. Should a Constitution come to be framed by a Constituent Assembly in which a large section of the Indian population had not been represented, His Majesty's Government could not of course contemplate—as the Congress have stated they would not contemplate—forcing such a Constitution upon any unwilling parts of the country."

This, as Lumby says, was the first admission from the side of the British Government that the Cabinet Mission plan might be abandoned. It was also the first official announcement since the Cripps offer which foreshadowed some form of Pakistan. Speaking in the House of Commons, Sir Stafford Cripps summarized the above quoted paragraph in even clearer terms, "If the Muslim League cannot be persuaded to come into the Constituent Assemb-

[57] *The Indian Annual Register*, 1946, vol. I, pp. 127-129.

[58] Menon, *op. cit.*, pp. 332-333.

[59] *The Indian Annal Register*, 1947, vol. I, pp. 147-151.

ly, then the parts of the country where they are in a majority cannot be held to be bound by the results."[60] Events had convinced him of what he had refused to believe in May 1946. The Cabinet Mission plan was, for all practical purposes, dead.

[60] E. W. R. Lumby, *op. cit.*, p. 129.

CHAPTER 13

The Transfer of Power

A new statement by Attlee

By this time the confusion in Indian politics had become more confounded. The British Government had laid down the Cabinet Mission plan, installed an Interim Government, and then shown their willingness (in the statement of 6 December, 1946) to scrap the plan if Indians did not come to an agreement. The Muslim League had earlier accepted the plan in both its long-term and short-term aspects, but its act of self-abnegation in sacrificing Pakistan to the prospects of an agreed solution had gone unnoticed and unrecognized both in official and Congress circles. The Congress had persisted in its own interpretation of the clause concerning the grouping of the provinces even after the official clarification of 6 December. The British Government had, on the one hand, installed a purely Hindu Government despite their earlier assurances and, on the other, refused to be firm with the Congress in making them accept the plan as interpreted by its authors. The League had therefore rejected the plan as a whole and called for the dissolution of the Constituent Assembly. The Congress attitude was becoming increasingly aggressive which

made the Muslims proportionately apprehensive regarding their future.

The Congress was now concentrating on one target alone. The Muslim League must either get out of the Interim Government or enter the Constituent Assembly (and, by implication, accept the Congress interpretation of the disputed grouping clause). On 5 February, all the non-League Councillors asked the Viceroy for the resignation of the League members of the Government. On 13 February Nehru wrote to the Viceroy reiterating this demand.[1] On 15 February, Patel threatened that if the Muslim League did not quit the Government the Congress would withdraw.[2]

It was in this atmosphere of mutual recriminations and impending civil war that Attlee made a statement on 20 February, 1947. The existing state of uncertainty could not be indefinitely prolonged. "His Majesty's Government wish to make it clear that it is their definite intention to take necessary steps to effect the transfer of power to responsible Indian hands by a date not later than June 1948." If an agreed Constitution was not worked out "by a fully representative Assembly" by that date, the Government "would have to consider to whom the power of the Central Government in British India should be handed over on the due date, whether as a whole to some form of Central Government for British India, or in some areas to the existing Provincial Governments, or in such other way as may seem most reasonable and in the best interests of the Indian people".

In the same statement it was also announced that Wavell was being recalled and replaced by Admiral the Viscount Mountbatten.[3]

Five days later the Secretary of State for India declared in the House of Lords that this decision was taken on advice received

[1] Menon, *op. cit.*, pp. 335-337.

[2] *The Indian Annual Register*, 1947, vol. I, p. 36.

[3] Cmd. 7047. Also in H. C. 433. 5s. Cols. 1396-1398.

from "responsible authorities" in India and was meant to shock the Indian parties into some sort of agreement.[4]

In India the "time limit" speech was generally well received, though Jinnah refused to commit himself and declared that the League would not surrender on the Pakistan issue. But in Britain several organs of public opinion were quick to notice the dangerous implications of the announcement. *The Times* felt that, instead of bringing harmony, this inflexible commitment would probably seriously affect Indian welfare.[5] The *Daily Telegraph* described it as "reckless folly" which would certainly intensify differences which had already led to widespread massacres.[6] For the *Spectator* the date fixed was demonstrably too early: a little less precipitancy would have been in India's own interest.[7]

In the opinion of Lumby, who had been attached to the Cabinet Mission's Secretariat, Attlee's announcement was "surely misconceived, in that it assumed that the British could profitably name a date for handing over power without taking the responsibility of determining, or making provision for Indians themselves to determine, the succession authorities". This "led to a hardening of communal claims, opened a new phase in the violent clash of communities, and generally intensified the prevailing uncertainty and uneasiness".[8]

Now we turn to the second part of the statement. Wavell was recalled because, as the Prime Minister said, his had been a wartime appointment. But that was not the true explanation. Attlee's references to Wavell in his speech in the House of Commons were "cold and perfunctory".[9] On 5 March, Sir Stafford Cripps made a long speech on the opening of the Indian debate but he did not even mention Wavell's name.

[4] H. L. 145. 5s. 25 February, 1947, col. 948.

[5] *The Times*, 21 February and 6 March, 1947.

[6] *Daily Telegraph*, 21 February, 1947.

[7] *Spectator*, 7 March, 1947.

[8] E. W. R. Lumby, *op. cit.*, p. 263.

[9] The words are those of Campbell-Johnson, the mouthpiece of Mountbatten, who can hardly be accused of sympathy for Wavell.

Did Wavell go because he had basic differences of opinion with Attlee and his Cabinet? There is no evidence to support this. In the last letter that the Viceroy wrote to King George VI he had propounded his scheme of phased withdrawal from India which, he complained, had not been approved by the Cabinet. In this proposal the date for final transfer of power was to be 31 March, 1948.[10] This proposal was rejected by Attlee because his Cabinet regarded it as "altogether too precipitate a retreat".[11] But shortly afterwards Attlee himself announced the decision to withdraw from India by June 1948. This was surely not such a wide margin of difference as to lead to the Viceroy's removal. On broad lines of Indian policy, therefore, the British and Indian Governments had no serious differences. The explanation must lie elsewhere.

It will be remembered that Wavell was initially very popular with the Congress for having refused, in June 1946, to let the League form the Interim Government and later for having put the Congress into office. Much earlier he had asserted that the geographical unity of India could not be ignored which had created resentment among the Muslims. But subsequently the Viceroy-Congress relations had begun to cool. When Calcutta was rocked by widespread riots the Congress asked the Viceroy to dismiss the Bengal Muslim League Ministry irrespective of the constitutional rights of the provinces under the 1935 Act. The Viceroy refused to do so and thereby earned Congress animosity. Later when Wavell refused to dismiss the Muslim League Councillors as demanded by the Congress, the breach between the Viceroy and the Congress was complete.[12] We have already seen that Gandhi had written to Attlee asking for Wavell's removal ostensibly on the ground that he had lost grip on the situation. Nehru had sent similar messages to his British friends. It is recorded that Nehru was pleased on Wavell's recall.[13] It is now quite certain that Wavell was removed to please the Congress.

[10] This letter is reproduced in full in J. W. Wheeler-Bennett, *King George VI: His Life and Reign* (London: 1958), pp. 708-709.

[11] *Ibid.*, p. 709.

[12] See *The Times*, 23 and 26 November, 1946 and 22 March, 1947.

[13] M. Brecher, *op. cit.*, p. 337.

The new viceroy

Lord Mountbatten reached Delhi on 22 March. His appointment had been greatly welcomed by the Congress and his relations with Nehru were said to be good.[14] The British Government had been warned by Lord Ismay that Mountbatten's appointment would be considered a concession to the Congress and an affront to the Muslims,[15] but the warning had gone unheeded. The following pages will show how far these forebodings came true.

In their first meeting, on 25 March, Mountbatten asked Nehru to give him his opinion of Jinnah, and Nehru proceeded to paint a Hindu picture of the Muslim leader.[16] When Jinnah met Mountbatten no request was made by the Viceroy to Jinnah to express any views regarding Nehru. Further, the only Indian on the Viceroy's staff was a Congress-minded Hindu, V. P. Menon, who had, as later events showed, great influence on Mountbatten and was allowed to prepare single-handed the final plan of the transfer of power. Campbell-Johnson, who was, during this period, writing his tendentious diary, "maintained a fairly loose liasion with the Nehru household and became a welcome guest at the Nehru breakfast table, a firm friend of Nehru's daughter, Indra—whose influence on her father was considerable—and a successful lubricant of the Nehru-Mountbatten axis".[17] Lady Mountbatten became one of Nehru's closest friends, and Azad tells us that her influence on the Congress president was greater than that of Patel or Mountbatten.[18]

The evolution of 3 June Plan

By the Instrument of Instructions issued to Mountbatten on his appointment he was required to find an agreed solution for a united India on the basis of the Cabinet Mission plan. But soon after his arrival he was persuaded by events and the attitudes of party leaders of the improbability of an agreed solution and of a united

[14] *Manchester Guardian*, 25 February, 1947.

[15] See A. Campbell-Johnson, *Mission with Mountbatten* (London: 1954), p. 23.

[16] *Ibid.*, p. 44.

[17] Leonard Mosley, *op. cit.*, p. 102.

[18] A. K. Azad, *op. cit.*, p. 184.

India. He had therefore to fall back upon the Prime Minister's statement of 20 February and prepare a plan accordingly.

In consultation with his advisers Mountbatten drew up an outline of a plan of transfer of power, the "broad basis of which was the demission of authority to the provinces, or to such confederations of provinces as might decide to group themselves in the intervening period before the actual transfer of power". On 11 April Ismay sent this outline to Menon for his amendments and for working out a rough time table. Menon carried out this order, but appended his own opinion that the plan was "a bad one and certainly would not work". The finished plan was put before the Governors' Conference on 15 and 16 April and approved. On 2 May Ismay and George Abell left for London carrying the plan with them for the sanction of Whitehall. The Viceroy wanted to receive the approval of His Majesty's Government by 10 May, for he planned to call a meeting of party leaders on 17 May in order to know their reactions.

After thus finishing his labours on the plan Mountbatten, accompanied by Sir Eric Mieville and Menon, went to Simla. Here for the first time Menon had an opportunity of talking to the Viceroy frankly and at length. He argued against the plan which had been sent to London and said that it would not work. The Viceroy was yet contemplating the import of Menon's views when Nehru and Krishna Menon arrived on 8 May to stay with Mountbatten. The Viceroy at once asked Menon to talk to Nehru about the alternative plan which he (Menon) had suggested in place of the one sent to London. On 9 May Menon expounded his scheme to Nehru by which power was to be transferred on the basis of Dominion status to two Indias, not to provinces or groups of provinces. On 10 May this plan was discussed in a meeting attended by Mountbatten, Nehru, Menon and Sir Eric Mieville. The proceedings of this discussion were recorded in the "Viceregal Minutes" and are a part of Government of India Records.

On the same day (10 May) the Viceroy received from London the plan which he had sent to the Cabinet. It had been approved

by the Government with certain amendments. In the evening Mountbatten took Nehru to his study after dinner and showed him the plan as sanctioned by His Majesty's Government. Nehru was furious when he had finished reading it and told Mountbatten that this would never be accepted by him, by the Congress and by India.

On the morning of 11 May Mountbatten summoned Menon, told him of Nehru's reaction to the official plan, and asked what he should do next. Menon at once replied that his plan, which they had discussed on 9 and 10 May, should be accepted and worked upon: "whereas the plan approved by His Majesty's Government would break up the country into several units, my plan would retain the essential unity of India while allowing those areas to secede which did not choose to remain part of it".

A staff meeting was at once called to which Nehru was invited. At this meeting Nehru's objections to the official plan were formally written into the minutes. Then the Viceroy asked Nehru if Menon's plan would be acceptable to him. Nehru wanted to see the plan in writing before expressing his approval. This created a problem for Nehru was leaving for Delhi by the evening train and Mountbatten was anxious to show him the finished plan before his departure and win his approval. Menon was therefore asked to put his plan on paper in double-quick time.

"It was by now 2 p.m. Menon walked to his hotel, poured himself a stiff whisky (he had never before had a whisky before six in the evening) and settled down to work." By 6 p.m. he had written the last sentence and the plan was immediately taken to the Viceregal Lodge by Mieville. There it was shown to Nehru who gave his approval.

Mountabatten returned to Delhi on 14 May and left for London on 18 May to argue for the plan and persuade the Cabinet to sanction it. Both Lord Ismay and George Abell were opposed to Menon's scheme but the Viceroy put all his weight behind it and threatened that he would resign if it was not accepted by

His Majesty's Government. His threat worked and the India-Burma Committee of the Cabinet approved it "without the alteration of a comma". Attlee and the whole Cabinet gave their sanction in a meeting which lasted exactly five minutes. The Vicero and his party returned to India on 31 May.[19]

Thus it came to pass that the plan which was to bring the British Indian Empire to an end and change the face of Asia and of the world was drawn up by a Congress-minded Hindu adviser of the Viceroy in collaboration with Nehru and perhaps of Krishna Menon. It was not considered necessary to take Jinnah into confidence. In fact, in none of the contemporary accounts occurs even the remotest hint that Jinnah should have been consulted or at least informed of the developments that were taking place at break-neck speed. He was completely ignored.

The 3 June Plan

The plan for the transfer of power to India spelt out the procedure in detail.[20] The provincial legislative assemblies of Bengal and the Panjab would each be asked to meet in two parts, one representing the Muslim majority districts and the other the rest of the province. The members of the two parts of each Legislative Assembly sitting separately would be empowered to vote whether or not the province should be partitioned. If a simple majority of either part decided in favour of partition, division would take place. If partition was decided upon, each part of the Legislative Assembly would, on behalf of the areas they represent, decide whether to join the existing Constituent Assembly or a new Constituent Assembly. As soon as this was decided the Governor-General would appoint a Boundary Commission "to demarcate the boundaries of the two parts of the Panjab on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims". The Commission would also "be instructed to take into account other factors". Similar instructions would be given to the Bengal Boundary Commission.

[19] This account is based on Menon, *op. cit.*, Leonard Mosley, *op. cit.*, A. Campbell-Johnson, *op. cit.*, Ismay, *op. cit.*, and E. W. R. Lumby, *op. cit.*

[20] Cmd. 7136. Full text also in *The Indian Annual Register*, 1947, vol. I, pp. 143-146.

The Legislative Assembly of Sind (excluding its European members) would, at a special meeting, decide between joining the existing Constituent Assembly and joining the new one. In the North-West Frontier Province a referendum would be held among the electors of the existing Legislative Assembly to choose which Constituent Assembly they would like to join. Baluchistan would also be given an opportunity to express its opinion on the issue. If Bengal decided in favour of partition, a referendum would be held in the Sylhet district of Assam to decide whether it would continue to form part of Assam or be amalgamated with the new province of Eastern Bengal. If the vote was in favour of joining the new province a Boundary Commission would demarcate the boundaries.

If the two provinces of the Panjab and Bengal decided in favour of partition new elections to the two Constituent Assemblies would be held on the following basis:

Province	*General Seats*	*Muslims*	*Sikhs*	*Total*
Sylhet District	1	2	0	3
West Bengal	15	4	0	19
East Bengal	12	29	0	41
West Panjab	3	12	2	17
East Panjab	6	4	2	12

His Majesty's Government were willing to transfer power to India before the previously announced June 1948, and therefore legislation would be introduced in the current session of Parliament for the transfer of power "this year" on a Dominion status basis to one or two successive authorities according to the decisions taken.

On 2 June the Viceroy called a meeting of seven leaders—Nehru, Patel, Kripalani, Jinnah, Liaquat Ali Khan, Abdur Rab Nishtar, and Baldev Singh. The plan was put before them and approved. Then Mountbatten went to see Gandhi, who was still opposing the division, ostensibly to persuade him that the plan was the

best in the circumstances. In reality this was merely an exercise in make-believe, because the plan had had Gandhi's consent before it was taken to England. Both Nehru and Gandhi had gone on opposing Partition to deceive the world in general and the Muslim League in particular.[21]

On 3 June the plan was published to the world. On 4 June Mountbatten held a press conference where he opened his remarks with a palpable lie: "he pointed out that at every stage and at every step he had worked hand in hand with the leaders and that the plan had come as no shock or suprise to them". It was on this occasion that 15 August, 1947, was mentioned as the tentative date for the transfer of power.[22]

The Muslim League Council met on 10 June and gave full authority to Jinnah to accept the fundamental principles of the plan as a compromise.

The All India Congress Committee met on 14 June and resolved to accept the plan, but proceeded to assert the following on the partition of India: "Geography and the mountains and the seas fashioned India as she is, and no human agency can change that shape or come in the way of her final destiny . . . The A.I.C.C. ernestly trusts that when the present passions have subsided, India's problems will be viewed in their proper perspective and the false doctrine of two nations will be discredited and discarded by all." Azad said that "I am sure it is going to be a short-lived partition."[23] The Hindu Mahasabha paraphrased the same idea in stronger and clearer terms: "India is one and indivisible and there will never be peace unless and until the separated areas are brought back into the Indian Union and made integral parts thereof."[24]

This hope for a future re-unity of India was shared by several Hindu leaders, authors and newspapers and was expressed before,

[21] Azad, *op. cit.*, pp. 188 ff; A. W. Khan, *op. cit.*, p. 291.

[22] Menon, *op. cit.*, pp. 380-382. Full text in Mountbatten, *Time Only to Look Forward* (London: 1950), pp. 19-25.

[23] Quoted in Menon, *op. cit.*, pp. 384-385.

[24] Quoted in *ibid.*, p. 382.

at, and immediately after partition. Gandhi declared on 15 August that he was sure that a time would come when the division would be undone.[25] The enthusiastic Congress daily, the *Hindustan Times,* was pleased to write editorially on June 3 Plan. "The saving feature is that it will be possible to unite again once the glamour of division has passed and national forces come into play."[26] Menon, the man who had written the plan and knew the minds of Congress leaders, laid down that "the partition of August 1947 was surely not intended to sunder for all time the ties that for a century and a half have bound India togehter . . ."[27] The leader of the Panjab Congress Party hoped to see a united India soon.[28] There was a general belief among the Hindus and Congressmen that the partition would not endure, that Pakistan would soon collapse and that India would once again be a united country under the Congress.[29]

The controversy about Governor-Generalship

During these hectic days everyone—that is, in the Congress and in the Viceregal Lodge—seems to have *assumed* that the two new Dominions would have one Governor-General and that he would be Mountbatten. So confident were Menon and the Viceroy (and also Nehru who was in their confidence) of this that a clause to this effect was incorporated in the draft of the Indian Independence Bill.

A little earlier Jinnah had suggested that there should be a super Governor-General over the Governor-Generals of the two Dominion. The idea probably was that such a person would be able to smoothen the operation of partition from a detached and impartical pedestal. But Mountbatten disagreed and his opinion was upheld by Whitehall.

[25] See H. S. Polak, *et. al., Mahatma Gandhi* (London: 1958), p. 295.

[26] Quoted in Andrew Mellor, *India Since Partition* (London: 1951), p. 32.

[27] Menon, *op. cit.*, p. 442.

[28] *Manchester Guardian*, 25 June, 1947.

[29] See Indian dispatches published in *Economist*, 17 May, 1947, *Sunday Times*, 1 June, 1947, *Manchester Guardian*, 15 August, 1949, and *Round Table*, September, 1947, p. 370; see also Guy Wint, *The British in Asia* (London: 1954 ed.), p. 179.

All evidence[30] shows that Mountabatten had set his heart on becoming the Joint Governor-General of both the Dominions. The idea appealed to him. When Nehru offered him the Governor-Generalship of India, Mountbatten accepted the offer but told Nehru and Patel that he hoped to receive a similar invitation from the Muslim League. This was on 17 May, one day before Mountbatten left for London with the Menon plan. After his talk with Nehru and Patel he saw Jinnah and tackled him on this point. But Jinnah parried the question and said that he would think over it. The Viceroy "jogged" him for he "was determined that he should not go away without some concession having been extracted". But he had aroused Jinnah's suspicions by his anxiety to get a reply and the talk ended inconclusively, Jinnah only promising to send a letter to Mieville. This letter never arrived.

When Mountbatten returned from London he was "more determined than ever to persuade the Muslim League leader that he (the Viceroy) should become joint Governor-General". For him it was now "a matter of pride". At one point he thought of calling in Sir Walter Monckton (an eminent constitutional lawyer who was then legal adviser to the Nizam of Hyderabad) and asking him to "concoct a convincing case for the Viceroy's assumption of the twin positions", but Ismay dissuaded him. On 20 June Mieville was sent to Liaquat Ali Khan to read his mind and to ask him to speak to Jinnah about the matter. Mieville "pressed upon him the urgency of this matter and emphasized how impossible it would be to get any sort of continuity or any sort of orderly partition if each Dominion had a separate Governor-General".[31] Liaquat promised to speak to Jinnah.

But still no answer came from Jinnah and Mountbatten was getting anxious. On 23 June the two men met and Mountbatten again stressed the advantages of having, during the partition period, a common Governor-General for both Dominions, but

[30] The following account is broadly based on Leonard Mosley, *op. cit.*, pp. 150-156, who writes with the unique advantage of having the secret Government of India Records before him.

[31] Was this a threat? If it was, later events showed that it was not an empty one.

said that he was not asking for the appointment for himself. Jinnah again did not commit himself and said that he would let the Viceroy have his decision in two or three days' time. Finally on 2 July Jinnah's answer arrived: he himself had decided to be the first Governor-General of Pakistan.

But even then Mountbatten did not believe that he had lost. On the same day a staff meeting was called by Ismay "to consider the consequences of Mr. Jinnah's declared wish to be Governor-General of Pakistan". The main purpose of the meeting was "to devise a formula whereby His Excellency the Viceroy could remain Governor-General of both Dominions and, at the same time, satisfy Mr. Jinnah's vanity". The Viceroy decided to make one more effort. He sent for the Nawab of Bhopal, and asked him to see Jinnah and try to dissuade him from becoming Governor-General of Pakistan. But Bhopal's mission did not succeed. Only then was Mountbatten fully convinced that he had lost the battle.[32]

It is strange that throughout this controversy everyone "assumed" and "hoped" and "took for granted" that the two Dominions would have one Governor-General and that Mountbatten would fill this post. There is no evidence anywhere to indicate that this matter was discussed at any meeting with party leaders. All the participants in this drama who have written their memoirs, like Menon, Ismay and Attlee—and all those who have inside information and have shared it with the world—like Ian Stephens, Leonard Mosley, Michael Brecher, E. W. R. Lumby and Campbell-Johnson—speak of "hopes" and "assumptions" rather than facts and minutes. Menon, who was at the centre of things, says that "it was assumed that Jinnah would make a similar offer" (*i.e.*, of inviting Mountbatten to be the Governor-General of Pakistan).[33] Ismay says that "we got the impression" that Jinnah would "in the end" invite Mountbatten.[34] Michael Brecher, the priviledged biographer of Nehru who was given access to secret official records, also uses the word "assump-

[32] Mosley's account ends here.

[33] Menon, *op. cit.*, p. 393.

[34] *The Memoirs of General the Lord Ismay*, *op. cit.*, pp. 428-429.

tion".[35] The argument is clinched when the official records of the Government of India say that the "India Office appear to be assuming" that Mountbatten would be asked by both parties to become Governor-General.[36]

Among those who expressed their disappointment at Mountbatten's failure to win the dual laurel are Attlee[37] and Menon.[38] None of them can be accused of sympathy for the Muslims, and that strengthens the feeling that Mountbatten's stewardship of Pakistan would not have benefited that country.

There is no doubt that Mountbatten was greatly riled by this development. He was a vain man and Jinnah's rebuff had hurt his pride.[39] Does that explain his later behaviour towards Pakistan? Only he himself can tell the truth. Jinnah has been criticized by all and sundry for not agreeing to Mountbatten's appointment as the common Governor-General. Apart from the great importance to Pakistan of gaining recognition as a separate entity which is essential for a seceding country to win, can Jinnah be really blamed for not accepting a man like Mountbatten who had been confiding in Nehru and working on his promptings and had cold shouldered Jinnah? Could the man whose one passion was not to place the Muslims at a disadvantage agree to put a man like Mountbatten in a key position from where he could cause much graver injury to Pakistan than he did as a political Governor-General of India?

Whatever may have been the reasons, Mountbatten did every thing in his power to injure the interests of Pakistan. He brought about the dissolution of the Joint Defence Council and the removal of Field Marshal Auchinleck because he was, in spite of his earlier opposition to the division of the armed forces, trying to perform his duty in an honest and impartial manner. Mountbatten was aware that Pakistan would object to such arbitrary

[35] Michael Brecher, *op. cit.*, p. 352.

[36] Quoted in Leonard Mosley, *op. cit.*, p. 150.

[37] See his statement in the House of Commons, H. C. 439. 5s., 10 July, 1947, col. 2450.

[38] Menon, *op. cit.*, p. 394.

[39] Ian Stephens, *op. cit.*, p. 176.

action, but that did not deter him.[40] He also dissolved the Partition Committee even though Pakistan had not received its share of assets and stores. He accepted the Instrument of Accession filed by the Maharaja of Kashmir to give the Indians an excuse to send their troops to the State. All this he might have done because he had felt annoyed at not having been appointed Governor-General of Pakistan. But why did he change the draft of agreement with Hyderabad at the behest of Patel? Hyderabad had not been guilty of any personal affront to him.[41] The fact of the matter is that Mountbatten had been throughout under the influence of the Congress leaders and would have gone to any length to please them. He would have been, if appointed, because of his policies and inclinations, an Indian Governor-General of Pakistan. Jinnah saved the country from such a calamity.

The implementation of June 3 Plan

The rest of the story can be briefly told.

In Bengal the Legislative Assembly met on 20 July and decided by 126 to 90 votes in favour of joining a new Constituent Assembly. Then the members from the non-Muslim majority areas of West Bengal met and decided by 58 to 21 votes that the province should be partitioned and that West Bengal should join the existing Indian Constituent Assembly. The members from the Muslim majority areas of East Bengal met and voted, 106 to 35, that the province should not be partitioned and then, by the same majority of votes, that East Bengal should join a new Constituent Assembly and that Sylhet should be amalgamated with that province. The Panjab Legislative Assembly decided by 91 to 27 votes to join a new Constituent Assembly. Then the members from the Muslim majority areas of West Panjab decided by 69 to 27 votes against the partition of the province; while the members from the non-Muslim majority areas of East Panjab decided by 50 to 22 votes that the province should be partitioned and

[40] John Connell: *Auchinleck* (London: 1959), pp. 915 ff.

[41] Mir Laik Ali, *The Tragedy of Hyderabad* (Karachi: 1962), pp. 216-223.

the East Panjab should join the existing Indian Constituent Assembly.

The Sind Legislative Assembly met on 26 June and decided by 30 votes to 20 to join a new Constituent Assembly. In Baluchistan the *Shahi Jirga* and the non-official members of the Quetta Municipality met and unanimously decided to join a new Constituent Assembly. The referendum in Sylhet was held in early July and a majority voted in favour of separation and joining East Bengal.

In the North-West Frontier Province the terms of referendum gave the usual two choices to the voters: either to join the existing Indian Constituent Assembly or to join a new Constituent Assembly. But Ghaffar Khan, the Red Shirt leader, insisted that the people should have a third choice, *i.e.*, to vote for an independent Pakhtunistan. The Congress leaders, especially Gandhi and Nehru, supported Ghaffar Khan, but the Viceroy overruled them on the ground that the procedure laid down in the 3 June Plan could not be altered without the consent of both parties, and Jinnah was not agreeable to the change. Ghaffar Khan replied by asking his followers to take no part in the voting. The referendum was held on 6-17 July and 289,244 votes were cast in favour of joining the new Constituent Assembly as against 2,874 for continuing with the existing Indian Constituent Assembly.

In the meantime the Indian Independence Bill was drafted, shown to Indian party leaders and to Gandhi and introduced in the House of Commons by Prime Minister Attlee himself on 4 July. It was passed on 15 July by the Commons and on 16 July by the Lords. There were no amendments. The Bill received the Royal Assent on 18 July, exactly twelve years after the passing of the Government of India Act of 1935.

Separate provisional governments were set up for India and Pakistan on 20 July. On 7 August Jinnah left India for the last time and flew to Karachi, the capital of the new Dominion of Pakistan. The Constituent Assembly of Pakistan met on 11

August and elected him as its President. On 13 August Mountbatten came to Karachi and on 14 August addressed the Constituent Assembly. Pakistan officially became free on 15 August 1947, when Jinnah was sworn in as Governor-General and the new Pakistan Cabinet took office.

It was fortunate that the Muslims possessed a leader of Jinnah's calibre during the struggle for Pakistan. It is true that the destinies of nations are moulded by their innermost urges and their determination to achieve their purpose, but if they fail to produce a leader of the necessary ability and stature at the crucial moment, their urges may be frustrated and their determination may prove of little avail. Even without Jinnah Pakistan would have come, but it would have been delayed for decades and would have entailed much greater conflict and travail. It was he who guided his people aright at every step, saved them from many a pitfall and, through his single-minded devotion to the cause of the freedom of his people, led them to victory within an incredible period of seven years.

CHAPTER 14

Retrospect

A calumny

Long before the beginning of the story narrated in the previous chapters, the Indian National Congress had built up a well organized machinery for carrying on publicity in the United Kingdom and the United States of America. It had established relations with the Labour Party in Britain and several sectors of liberal opinion in America. The reputation of Gandhi as the most Christ-like man within living history had spread throughout the Christian world. Jawaharlal Nehru's brilliance had captured the imagination of many intellectuals in the West. And because the two great Western democracies exercise a tremendous influence upon the thought of the world, the fame of Gandhi and Nehru spread in all directions. These advantages were skilfully exploited by the Congress publicists not only to their own advantage, which was legitimate, but also to smear the name of Muslim India and its leaders in an irresponsible and dishonest manner.

When the Muslims were struggling to seek safeguards against the intolerant use of power by the Hindus, they were painted as obstructionists and agents of British imperialism. When they,

driven to exasperation because of their failure to secure justice from the Congress and losing all hope of being treated with fairness under an overwhelmingly Hindu government, demanded independence, they were abused as reactionaries and obscurantists. When through a bitter struggle, they did succeed in carving out a sovereign state for themselves, that state, Pakistan, was maligned as a British creation brought into existence for the purpose of serving as a tool of Western imperialism in Asia.[1] So successful was this campaign of calumny that these statements came to be believed even in many Muslim lands. In the strongholds of "Western Imperialism", the United Kingdom and the United States of America, it is the common experience of Pakistanis to hear regrets from well meaning but ignorant victims of Indian propaganda on the partition of a great and beautiful country. Little do such persons realize that they could not proffer a greater insult to the national sentiments of the Pakistanis than to wish that Pakistan had never come into existence and having been created should once again be destroyed and handed over to India.

These pages, one hopes, will dispel such ideas. The Pakistanis did not receive Pakistan on a silver platter. They have paid a heavy price for it. In fighting for it they have tasted more despair than hope, more disappointment than success and more chastisement than reward. Theirs has not been an easy victory, nor for that matter has it brought them all that they had fought for. Surely they would not have struggled so hard if they had not thought that something of real value was at stake. What it was has been described earlier.

A perusal of the foregoing chapters will bring out one point quite clearly. At no stage was British imperialism in alliance with the Muslims. Whenever there was a crucial decision to be made by the British, it was not made in favour of the Muslims. Sometimes remedial measures were adopted to redress some grievous wrong, but essentially the British policies were antagonistic to the Muslims. This was partly due to the terrible prejudice that

[1] See, for instance, Nehru's interview in Joseph Korbel, *Danger in Kashmir* (Princeton: 1954), p. 30.

exists in Western lands against Islam and partly because in the beginning, the Muslims were more hostile to British rule. Having been ousted from all positions of profit they had been reduced to penury and left for long to sink in despair. Only then some attention, far from any standards of adequacy, was paid to them.

When it was found that neither through influence, nor through wealth, nor through the charity of their neighbours, the Hindus, because that charity was never forthcoming, could they hope to be elected to local bodies, were separate electorates conceded to them. And the Congress all the time, except in the Congress-League Pact of 1916, tried to undo the separate electorates and the British never stopped expressing their regret that such an institution had to be conceded. Of course, the Congress and the British both knew that no Muslim with any regard for Muslim interests and with an iota of independence could be elected through any other system. The other concession they received was weightage in the provinces where they were in a minority, that is, they were given more seats than their numbers warranted. The Muslims had to pay a heavy price for this "boon". They had to sacrifice their majorities in the Panjab and Bengal.

Throughout the Muslim struggle for safeguards they had to fight for every single demand. And every demand was tenaciously resisted by the Congress. The British yielded only when it became manifest to them that otherwise it would result in such gross injustice that the Muslims would become desperate. As rulers they had to maintain some semblance of holding the balance even. Besides, they had learnt from the bitter experience of dealing with the Muslims that they could not be thrown into a state of desperation without serious consequences.

The Muslims had earlier been the most doughty fighters against the British Government in spite of their grinding poverty. Saiyid Ahmad Shahid had fought against the Sikhs for five years when he lost his life in the Battle of Balakot in May 1831. Despite a crushing blow that the movement received in that disaster, the Saiyid's followers, dubbed somewhat incorrectly as 'Indian

Wahabis' by British writers, did not give up the effort and they continued to give trouble to the Sikhs and later to the British when they annexed the Sikh territories. Indeed in 1863 the British had to send two European and six native regiments against the 'Wahabi' stronghold of Sithana in the north-western hills, which was bravely defended and the British force was held at bay. The expedition suffered such severe losses that at one time the government thought of withdrawing it. Saiyid Ahmad Shahid's movement was not limited to fighting on the north-west frontier. It spread disaffection against British rule among the Muslims of North India, Bihar and Bengal. It caused considerable headache to the British who did not find it easy to cope with it despite stern measures and deterrent punishments.[2] In 1857 the Muslims had provided a number of outstanding generals, organizers and fighters to the rebellion.[3] Even with the help of a leader like Syed Ahmed Khan, the British had not found it easy to wean the Muslims away from their sullen dislike of British rule.[4] After the First World War, the Muslims had organized a mass movement of tremendous proportions to protest against the dismemberment of the Ottoman Empire.[5] During the Khilafat Movement, the Muslims co-operated with the Congress with great abandon, so that in the words of the famous "untouchable" leader Ambedkar: "the effect . . . upon the dimensions of the Congress was tremendous". "The Congress", in the words of the same author, "was really made great and powerful not by the Hindus but by the Muslims."[6] Once roused, the Muslims could not be suppressed easily. Therefore they could be ignored or alienated only upto a point. This was understood by the British because of their long experience in dealing with the Indian Muslims. The British had learnt not to exasperate the Muslims. This lesson was never learnt by the Hindus who never tried to conciliate them and always resisted any demand put forward by the Muslims.

[2] I. H. Qureshi, *The Muslim Community of the Indo-Pakistan Subcontinent*, *op. cit.*, Chapter X.

[3] *Ibid.*, Chapter XI.

[4] *Ibid.*, Chapter XII.

[5] *Ibid.*, Chapter XIII.

[6] Quoted in A. B. Rajput, *op. cit.*, p. 53.

Muslims not favoured

It has been described in the previous chapters how the British plans were drawn to appease the Hindus rather than to meet the demands of the Muslims. At every turn the British discouraged the Muslims from seeking their destiny of independent existence. The Cripps offer included the clause regarding the right of the provinces to refrain from accession to the Indian Union because the British Government had felt that this would persuade the Muslims to remain within the Indian Union. At least this was their hope. Besides, if the Muslims of Bengal had been pushed into exasperation, the very purpose of the offer would have been lost, because Bengal was on the front line of the war with the Japanese. A Bengal in flames would have invited Japanese invasion. The 'Quit India' Movement of 1942 launched by the Congress resulted in a short-lived cessation of British rule in the Hindu majority areas of Bihar and Eastern United Provinces. If this had happened in East Bengal with its delta and riverine terrain, the story might have been different. The Cabinet Mission Plan was calculated to kill Pakistan. And when it came to the installation of an interim government, the plighted word of the British Government was dishonoured because it was considered unthinkable that the League should be installed into office. When the erstwhile allies of the Congress, the Labour Party came into power, the advice of the Viceroy was ignored and a Congress government was installed as the rulers of India. The fact that undiluted Congress rule in the provinces had resulted in gross injustice to the Muslim minorities and had inflamed Muslim opinion was forgotten. The dangerous state of tension that had been built up since then was ignored. Muslim sentiment was treated with contempt. And yet it was the Muslim nation that was dubbed as the ally and agent of British imperialism by the Congress.

It was not the British who ultimately created Pakistan. The perverse policies of the Congress which knew no compromise reduced the Cabinet Plan to an absurdity. If the Congress arguments were correct, where was the need of the elaborate scheme? A simple statement regarding the constitution of a Union Constituent Assembly would have been sufficient. Only when it was

apparent that otherwise the Muslims would be massacred in large numbers was the League permitted to join the Interim government. Then it became apparent that any Hindu-Muslim coalition, unless it was totally subservient to the Hindus, could not work. And it also became apparent that a single Hindu dominated Consituent Assembly would have neither the grace nor the wisdom to write a constitution that could be even remotely acceptable to the Muslims. The British knew that the Muslims would rather die than sacrifice their right to exist as a people; but the Hindus refused to take the Muslims seriously even at that juncture.

When all possibilities of compromise were brushed aside by Hindu obduracy, the British at last prevailed upon the Hindus to realize that a community of a hundred million could not be made the unwilling citizens of a new State. It was ultimately this realization that made Pakistan possible.

A Hindu plan

The Hindu propaganda ignores the fact that the 3 June plan which brought Pakistan into existence was drawn up by Menon, a Congress-minded Hindu who was the only Indian on the staff of the Viceroy, Lord Mountbatten. They forget that an earlier plan, because obviously it was a little more favourable to the Muslims, was condemned by Menon and indignantly rejected by Nehru, who approved Menon's scheme. During all this time Jinnah was not consulted. Indeed he was not even given an inkling that such important matters were under discussion.

Indeed so obliging was Attlee's government that Wavell had been dismissed at the request of the Congress without as much as a word of appreciation for his services. In his place was appointed Mountbatten, once again to please the Congress. He fully justified his choice by assiduously cultivating Nehru's friendship. Even Lady Mountbatten befriended Nehru to an extent that, according to Abul Kalam Azad, she came to exercise greater influence upon Nehru than even his closest associates. One only wonders who exercised greater influence upon whom, but one is

certain that all these friendships cost the Muslims dear. So did the friendship between Nehru's daughter Indira and Mountbatten's trusted Campbell-Johnson.[7]

Of course Mountbatten's pet averson was Jinnah as would be apparent to any one who reads Campbell-Johnson's tendentious but revealing book. When the plan was put before Attlee's cabinet it took it not more than five minutes to approve it, even though it was to decide the fate of millions of human beings. It is obvious that what the Prime Minister and his cabinet had in view was the pleasure of Nehru. The plan must be all right if it had his approval. Attlee was not able to conquer his aversion to Jinnah even twelve years after the creation of Pakistan, when he said in a filmed television interview that he had never liked Jinnah. The main reason for this dislike conveyed by the interview is that Attlee had not liked the partition of India.[8] If Attlee found the foundation of Pakistan so disagreeable in 1959, how could he have been partial to it in 1947? It is obvious that Pakistan was wrested by the Muslims under Jinnah's determined leadership and not conceded either by the British or the Hindus. All that can be said is that Attlee saw the wisdom in overcoming his aversion in the interest of an orderly withdrawal from the subcontinent.

Subsequent policies of Great Britain and the USA alike have shown that there has always been the desire to woo India, which is natural in view of India's size and importance. But this does not support the thesis that Pakistan is the creation of British imperialism to secure for it a base in Asia for furthering its policies. It was India which was to play this role. The well known Indian historian, Pannikar, outlined before Indian independence the role of India as a stabilizing factor in Asia.[9] Obviously this was to be done in co-operation with the western powers. That dream is finding fulfilment now in the shape of massive assistance to India to enable her ostensibly to resist China.

[7] *Vide supra*, p. 294.

[8] The film was shown on BBC television on 3 January, 1959. The details of the interview appeared in *Dawn* (Karachi), 4 January, 1959

[9] K. M. Pannikar, *India and the Indian Ocean* (London: 1951). The 1945 edition—now out of print—is much more revealing.

A raw deal

If further proof were needed to counter Hindu propaganda, it would be found in the unfair boundary award in which all legitimate Muslim interests were sacrificed with the dual purpose of placating the Hindus and injuring the viability of Pakistan. Not a single area on which the Hindus could have staked even the shadow of a claim fell to the lot of the Muslims. Areas where the Muslims were in a majority went to the Hindus, headworks of canals that irrigated Pakistan areas went to the Hindus, corridors through overwhelming Muslim areas to provide access to India to isolated tracts went to the Hindus, and, most of all, the Muslim majority district of Gurdaspur went to the Hindus so that they might have access to the State of Jammu and Kashmir. Wherever it was even remotely possible to favour India, Pakistan was given a raw deal.

The Muslim pleas for a better organized division were dismissed. The implementation was hastened purposely. The Pakistan sector of the government was given no time to develop even a skeleton organization. The Central secretariat began to function in hastily improvised shacks, without records, without furniture, and even without paper or pencils. Officials sat on deal boxes and organized an administration as best as they could. India refused to transfer any movable assets that had been assigned to Pakistan. Even the working cash balances were transferred later at Gandhi's intervention. It is obvious why the Hindus and the British alike expected Pakistan to collapse within the first few weeks. The transfer of authority was a mere legal formality so far as Pakistan was concerned. What had really been handed over was undiluted chaos. The two major provinces of Panjab and Bengal were disorganized because of a hasty partition. Lahore was in flames and the North-West Frontier Province was in the hands of a Congress ministry, Kalat was intriguing with India and there was no central administration worth the name. All this was due to the fact that in implementing the 3 June plan no heed was given to the need of handing over Pakistan territories to the League government in a reasonably orderly condition. Could this possibly have been done to help the Muslims?

The Hindus had high hopes that Pakistan would not survive and that the Muslims would go back begging for reunion. The basis of these hopes was not that the Muslims would suffer pangs of separation and would yearn to be taken back into the affectionate arms of Mother India. The hope was based on the solid fact that all that was humanly possible to make the survival of Pakistan impossible had been done. Her boundaries had been mutilated, a stranglehold had been established upon her irrigation system, her legitimate share of the necessary assets to run an orderly government was unlawfully seized, and even the records so necessary for continuing the administration were either not transferred or destroyed in transit. It is sufficient to prove the *mala fides* of the boundary award that otherwise there could be no sense in putting the headworks just on the wrong side of the border, because those headworks could have no use for the Indians except the malicious one of stopping water from flowing into Pakistan.

It was "a truncated and moth-eaten Pakistan" which was more or less flung into the face of the Muslims in the hope that they would either reject it or after accepting it, would find it impossible to keep it alive. So great, however, was the Muslim desire for independent existence that they accepted the challenge and kept the country alive despite the expectations of their opponents.

Western interest

Western interest in the survival of Pakistan can be judged by the fact that in the first instance Mountbatten moved heaven and earth to become the common Governor-General of India and Pakistan. By his previous record, it would have been rank folly to accept that proposition. As he was never motivated by affection for the Muslims, or for Pakistan, or for Jinnah, the desire could not have been based on friendly intentions towards Pakistan. As Governor-General of pre-partition India and later as Governor-General of India, he did all he could to injure the Muslims. His insistence upon being nominated the Governor-General of Pakistan as well could only reflect his intention, once in a position of vantage, to demonstrate to the world that Pakistan could not

be made a workable proposition. His identification with India was so complete that on Independence Day in New Delhi people shouted "Pandit Mountbatten *ki jai*". Surely this popularity was not earned solely for being the presiding agent in the liquidation of British rule in the subcontinent.

It is common knowledge that during the height of American influence in Pakistan, pressure was continuously exercised upon the government to enter into some kind of a confederation with India. Of course it could not be unknown to experienced American politicians that such a step would be the end of Pakistan's independent existence.

The western powers follow what they call "their global strategy". This strategy is better served by a strong India. It does not favour the existence of small countries. A big united subcontinent can be a better arsenal of western arms than a small Pakistan. This strategy cannot waste any thought on such petty considerations as the right of a people to a separate existence, if it desires it, for strategy is amoral and has no room for higher values like justice. The democratic right of peoples to live can be bartered away in the defence of "democracy". In such a dispensation, Pakistan is expendable. In the defence of "democracy" the creation of a subordinate Indian imperialism is necessary, therefore it is justified. First attempts were made to build up the leadership of India in South Asia through diplomacy and propaganda. As that did not succeed, Indian leadership should be imposed by building India up as the mightiest power in Asia and in the Indian Ocean for the purposes of "stability". How can it be argued under these circumstances that Pakistan could possibly become a mainstay of western imperialism in Asia without courting destruction?

Therefore the thesis that Pakistan was created by the British to serve the interests of "Western imperialism" should be dismissed as a gross travesty of known facts and developments. Nations do not come into existence to oblige others. Countries do not strive to remain alive if they do not possess a soul and the

soul of a country is its intense desire for separate existence. Pakistan came into existence as the result of the successful struggle of the Muslims of the subcontinent against two imperialisms, British and Hindu.

There would have been no incentive to carry on this struggle if the Muslims had not been impelled by the forces of history to seek self-realization as a sovereign and independent people. These forces were created by their own outlook on life and their intense consciousness of their uniqueness. They were sustained by their desire to maintain their entity and not to lose it by being reduced to a mere minority struggling all the time to keep its head barely above the tides of influences subversive of its sense of values and spiritual heritage. These feelings being the essence of all nationalism, the Muslims were a nation, distinct and separate from the other communities of the subcontinent. They had possessed the ingredients of nationhood even when nationalism was not the force in the world that it is today. Only they had not discovered their nationhood. This discovery could not have been delayed much longer. When the fetters of a common bondage were snapped, the illusion of a single nationhood would have perished without any other impetus, because the distinctiveness and the desire to maintain it had always been there.

It was fortunate that the fact of the nationhood of the Muslim community of this subcontinent was emphasized and recognized at the opportune time. Any delay would have caused too great a dislocation and misery, because if it had been discovered and asserted after the transfer of power to the Hindus in a united India, efforts would have been made by the Indian government to suppress its manifestations and nothing but conflict would have emerged from such efforts. Either a strong and intolerant Hindu imperialism would have reduced a nation of a hundred million to a sullen and useless minority nursing a grievance against life and therefore open to all subversive influences or a rebellion leading to a protracted civil war would have sapped the resources of India and stopped the development of the areas now constituting Pakistan. Any of these contingencies would have retarded

the progress of Asia and tempted selfish powers to intervene and establish their hold in an area whose freedom is vital for the freedom of the major portion of the entire continent.

A union could not last

There are some who express regret at the fact that the Congress did not permit the implementation of the Cabinet Plan whereby the unity of the subcontinent could have been maintained. This hope would have proved a delusion. The fissures went too deep to be removed by such flimsy patching. Quarrels would have arisen over the jurisdiction of the Union government and would have brought about constant friction. The net result would have been the same as was intended to be avoided by not establishing a simple federation. The Muslims would have discovered that their quarrels with the Union government were treated as domestic squabbles by world opinion and that they were helpless in the face of a determined central authority backed by a community that possessed superior resources in addition to being in an overwhelming majority. If the plain terms of the plan could be interpreted to their disadvantage even when the Congress had yet not captured power, how could a nicely balanced constitutional arrangement like the one envisaged in the Plan be operated with fairness when those very interpreters were to be in power?

It is true that an unjust boundary award has caused headaches to the Pakistanis and created problems for them with which they have been struggling all these years. It is also true that a hasty and utterly mismanaged partition created chaos in the beginning and Pakistan was deprived of its proper share in the assets. Despite all this and the resultant frustration in the minds of the people of Pakistan, it is obvious that the outcome has proved infinitely better than any attempt at union with India could have been for all concerned. The Pakistanis have attained a sovereign status which they are busy utilizing for their economic growth and for removing ignorance and poverty from their homeland. The psychological adjustment to much reduced territories has not been as difficult as it would have been to the inferior status of

being a dependent people. India has found it more difficult to reconcile herself to the existence of Pakistan but this is an unwise attitude. The suppression of the desires of such a large community for independent existence would have put too great a strain upon her material and moral resources. Those who regret the partition of the subcontinent from the standpoint of view of their 'global strategy' forget that a smaller united India can be a better prop for their policies than a bigger India torn by inner dissensions and reeking with discontent could ever be.

In any case Pakistan has contributed to the stability, peace and prosperity of the region. This has already made life richer and more fruitful for its people. Their freedom from the inhibitions that lack of independence would have imposed may lead to the flowering of their genius in a manner that they make some significant contribution to the thought and culture of the world.

Appendix A

Jinnah's Fourteen Points

The following draft resolution circulated to members of the Muslim League embodies the points:

"Whereas the basic idea on which the All Parties Conference was called in being and a Convention summoned at Calcutta during Christmas Week 1928, was that a scheme of reforms should be formulated and accepted and ratified by the foremost political organizations in the country as a National Pact; and whereas the Report was adopted by the Indian National Congress only constitutionally for the one year ending 31st December 1929, and in the event of the British Parliament not accepting it within the time limit, the Congress stands committed to the policy and programme of complete independence by resort to civil disobedience and non-payment of taxes, and whereas the attitude taken up by the Hindu Mahasabha from the commencement through their representatives at the Convention was nothing short of an ultimatum, that, if a single word in the Nehru Report in respect of communal settlement was changed they would immediately withdraw their support to it; and whereas the National Liberal Federation delegates at

the Convention took up an attitude of benevolent neutrality, and subsequently in their open session at Allahabad, adopted a non-committal policy with regard to the Hindu-Muslim differences; and whereas the non-Brahmin and depressed classes are entirely opposed to it; and whereas the reasonable and moderate proposals put forward by the delegates of the All-India Muslim League at the Convention in modification were not accepted, the Muslim League is unable to accept the Nehru Report.

"The League after anxious and careful consideration most earnestly and emphatically lays down that no scheme for the future constitution of the Government of India will be acceptable to Mussalmans of India until and unless the following basic principles are given effect to and provisions are embodied therein to safeguard their rights and interests:

(1) The form of the future constitution should be federal with the residuary powers vested in the provinces;

(2) A uniform measure of autonomy shall be granted to all provinces;

(3) All legislatures in the country and other elected bodies shall be constituted on the definite principle of adequate and effective representation of minorities in every province without reducing the majority in any province to a minority or even equality;

(4) In the Central Legislature, Mussalman representation shall not be less than one third;

(5) Representation of communal groups shall continue to be by means of separate electorates as at present: provided it shall be open to any community, at any time, to abandon its separate electorate in favour of joint electorate;

(6) Any territorial redistribution that might at any time be necessary shall not in any way, affect the Muslim majority in the Panjab, Bengal and North-West Frontier Province;

(7) Full religious liberty, *i.e.*, liberty of belief, worship and observance, propaganda, association and education, shall be guaranteed to all communities;

(8) No bill or resolution or any part thereof shall be passed in any legislature or any other elected body if three-fourths of the members of any community in that particular body oppose such a bill, resolution or part thereof on the ground that it would be injurious to the interests of that community or in the alternative, such other method is devised as may be found feasible and practicable to deal with such cases;

(9) Sind should be separated from the Bombay Presidency;

(10) Reforms should be introduced in the North-West Frontier Province and Baluchistan on the same footing as in the other provinces;

(11) Provision should be made in the constitution giving Muslims an adequate share alongwith the other Indians, in all the services of the State and in local self-governing bodies having due regard to the requirements of efficiency;

(12) The constitution should embody adequate safeguards for the protection of Muslim culture and for the protection and promotion of Muslim education, language, religion, personal laws and Muslim charitable institutions and for their due share in the grants-in-aid given by the State and by local self-governing bodies;

(13) No cabinet, either central or provincial, should be formed without there being a proportion of at least one-third Muslim ministers;

(14) No change shall be made in the constitution by the Central Legislature except with the concurrence of the States constituting the Indian Federation."

The draft resolution also mentions an alternative to some of the above provisions in the following terms:

"That, in the present circumstances, representation of Mussalmans in the different legislatures of the country and other elected

bodies through the separate electorates is inevitable and further, the Government being pledged over and over again not to disturb this franchise so granted to the Muslim community since 1909 till such time as the Mussalmans choose to abandon it, the Mussalmans will not consent to joint electorates unless Sind is actually constituted into a separate province and reforms in fact are introduced in the North-West Frontier Province and Baluchistan on the same footing as in other provinces.

"Further, it is provided that there shall be reservation of seats according to the Muslim polulation in the various provinces; but where Mussalmans are in a majority they shall not contest more seats than their population warrants.

"The question of excess representation of Mussalmans over and above their population in Provinces where they are in a minority is to be considered hereafter."

Appendix B

Extract from Iqbal's Presidential Address before All India Muslim League (29 December, 1930)

What, then, is the problem and its implications? Is religion a private affair? Would you like to see Islam, as a moral and political ideal, meeting the same fate in the world of Islam as Christianity has already met in Europe? Is it possible to retain Islam as an ethical ideal and to reject it as a polity in favour of national polities, in which a religious attitude is not permitted to play any part? This question becomes of special importance in India where the Muslims happen to be in a minority. The proposition that religion is a private individual experience is not surprising on the lips of a European. In Europe the conception of Christianity as a monastic order, renouncing the world of matter and fixing its gaze entirely on the world of spirit led, by a logical process of thought, to the view embodied in this proposition. The nature of the Prophet's religious experience, as disclosed in the Qur'an, however, is wholly different. It is not mere experience in the sense of a purely biological event, happening inside the experient and necessitating no reactions on his social environment. It is individual experience creative of a social order. Its immediate outcome is the fundamentals of a polity with implicit legal concepts whose civic significance cannot be belittled merely because their origin is revelational. The religious ideal of Islam, therefore, is organically related to the social order which it has created. The rejection of the one will eventually involve the rejection of the other. Therefore the construction of a polity on national lines, if it means a displacement of the Islamic principle of solidarity, is simply unthinkable to a Muslim. This is a matter which at the present moment directly concerns the Muslims of India. "Man", says Renan, "is enslaved neither by his race, nor by his religion, nor by the course of rivers, nor by the direction of mountain ranges. A great aggregation of men, sane of mind and warm of heart, creates a moral consciousness which is called a nation." Such a

formation is quite possible, though it involves the long and arduous process of practically remaking men and furnishing them with a fresh emotional equipment. It might have been a fact in India if the teachings of Kabir and the Divine Faith of Akbar had seized the imagination of the masses of this country. Experience, however, shows that the various caste-units and religious units in India have shown no inclination to sink their respective individualities in a larger whole. Each group is intensely jealous of its collective existence. The formation of the kind of moral consciousness which constitutes the essence of a nation in Renan's sense demands a price which the peoples of India are not prepared to pay. The unity of an Indian nation, therefore, must be sought, not in the negation but in the mutual harmony and co-operation of the many. True statesmanship cannot ignore facts, however unpleasant they may be. The only practical course is not to assume the existence of a state of things which does not exist, but to recognize facts as they are, and to exploit them to our greatest advantage . . . And it is on the discovery of Indian unity in this direction that the fate of India as well as of Asia really depends. India is Asia in miniature. Part of her people have cultural affinities with nations in the east and part with nations in the middle and west of Asia. If an effective principle of co-operation is discovered in India, it will bring peace and mutual goodwill to this ancient land which has suffered so long, more because of her situation in historic space than because of any inherent incapacity of her people. And it will at the same time solve the entire political problem of Asia.

It is, however, painful to observe that our attempts to discover such a principle of internal harmony have so far failed. Why have they failed? Perhaps we suspect each other's intentions and inwardly aim at dominating each other. Perhaps in the higher interests of mutual co-operation, we cannot afford to part with the monopolies which circumstances have placed in our hands and conceal our egoism under the cloak of a nationalism, outwardly simulating a large-hearted patriotism, but inwardly as narrow-minded as a caste or a tribe. Perhaps, we are unwilling to recognize that each group has a right to free development according to its

own cultural traditions. But whatever may be the causes of our failure, I still feel hopeful. Events seem to be tending in the direction of some sort of internal harmony. And as far as I have been able to read the Muslim mind, I have no hesitation in declaring that if the principle that the Indian Muslim is entitled to full and free development on the lines of his own culture and tradition in his own Indian homelands is recognized as the basis of permanent communal settlement, he will be ready to stake his all for the freedom of India. The principle that each group is entitled to free development on its own lines is not inspired by any feeling of narrow communalism. There are communalisms and communalisms. A community which is inspired by feelings of ill-will toward other communities is low and ignoble. I entertain the highest respect for the customs, laws, religious and social institutions of other communities Nay, it is my duty according to the teaching of the Qur'an, even to defend their places of worship, if need be. Yet I love the communal group which is the source of my life and behaviour and which has formed me what I am by giving me its religion, its literature, its thought, its culture and thereby recreaing its whole past as a living factor in my present consciousness...

Communalism in its higher aspect, then, is indispensable to the format:on of a harmonious whole in a country like India. The units of Indian society are not territorial as in European countries. India is a continent of human groups belonging to different races speaking different languages and professing different religions. Their behaviour is not at all determined by a common race-consciousness. Even the Hindus do not form a homogeneous group. The principle of European democracy cannot be applied to India without recognizing the fact of communal groups. The Muslim demand for the creation of a Muslim India within India is, therefore, perfectly justified. The resolution of the All-Parties Muslim Conference at Delhi is, to my mind, wholly inspired by this noble ideal of a harmonious whole which, instead of stifling the respective individualities of its component wholes, affords them chances of fully working out the possibilities that may be latent in them. And I have no doubt that this House will emphatically

endorse the Muslim demands embodied in this resolution. Personally, I would go further than the demands embodied in it. *I would like to see the Panjab, North-West Frontier Province, Sind and Baluchistan amalgamated into a single State. Self-government within the British Empire or without the British Empire, the formation of a consolidated North-West Indian Muslim State appears to me to be the final destiny of the Muslims, at least of North-West India.*[1]

[1] The *Italics* are not in the original.

Appendix C

Pakistan Resolution of the All India Muslim League (24 March, 1940)

While approving and endorsing the action taken by the Council and the Working Committee of the All-India Muslim League, as indicated in their resolutions dated the 27th of August, 17th and 18th of September and 22nd of October 1939, and 3rd of February 1940 on the constitutional issue, this Session of the All-India Muslim League emphatically reiterates that the scheme of federation embodied in the Government of India Act, 1935, is totally unsuited to, and unworkable in the peculiar conditions of this country and is altogether unacceptable to Muslim India.

It further records its emphatic view that while the declaration dated the 18th of October 1939 made by the Viceroy on behalf of His Majesty's Government is reassuring in so far as it declares that the policy and plan on which the Government of India Act, 1935, is based will be reconsidered in consultation with the various parties, interests and communities in India, Muslim India will not be satisfied unless the whole constitutional plan is reconsidered *de novo* and that no revised plan would be acceptable to the Muslims unless it is framed with their approval and consent.

Resolved that it is the considered view of this Session of the All-India Muslim League that no constitutional plan would be workable in this country or acceptable to the Muslims unless it is designed on the following basic principles, *viz.*, that geographically contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary, that the areas in which the Muslims are numerically in a majority as in the North-Western and Eastern zones of India should be grouped to constitute 'Independent States' in which the constituent units shall be autonomous and sovereign.

That adequate, effective and mandatory safeguards should be specifically provided in the Constitution for Minorities in these

units and in the regions for the protection of their religious, cultural, economic, political, administrative and other rights and interests in consultation with them and in other parts of India where the Mussalmans are in a minority adequate, effective and mandatory safeguards shall be specifically provided in the Constitution for them and other Minorities for the protection of their religious, cultural, economic, political, administrative and other rights and interests in consultation with them.

This Session further authorizes the working Committee to frame a scheme of Constitution in accordance with these basic principles, providing for the assumption finally by the respective regions of all powers such as defence, external affairs, communications, customs and such other matters as may be necessary.

Appendix D

Extract from Jinnah's speech supporting the Resolution

The problem in India is not of an inter-communal character but manifestly of an international one, and it must be treated as such. So long as this basic and fundamental truth is not realized, any Constitution that may be built will result in disaster and will prove destructive and harmful not only to the Mussalmans but to the British and Hindus also. If the British Government are really in earnest and sincere to secure peace and happiness of the people of this subcontinent, the only course open to us all is to allow the major nations separate homelands by dividing India into 'autonomous national states'. There is no reason why these states should be antagonistic to each other. On the other hand the rivalry and the natural desire and efforts on the part of one to dominate the social order and establish political supremacy over the other in the government of the country will disappear. It will lead more towards natural goodwill by international pacts between them, and they can live in complete harmony with their neighbours. This will lead further to a friendly settlement all the more easily with regard to Minorities by reciprocal arrangements and adjustments between Muslim India and Hindu India, which will far more adequately and effectively safeguard the rights and interests of Muslims and various other Minorities.

It is extremely difficult to appreciate why our Hindu friends fail to understand the real nature of Islam and Hinduism. They are not religions in the strict sense of the word, but are, in fact, different and distinct social orders, and it is a dream that the Hindus and Muslims can ever evolve a common nationality, and this misconception of one Indian nation has gone far beyond the limits and is the cause of most of our troubles and will lead India to destruction if we fail to revise our notions in time. The Hindus and Muslims belong to two different religious philosophies, social customs, literatures. They neither inter-marry nor inter-dine together and, indeed, they belong to two different civil-

izations which are based mainly on conflicting ideas and conceptions. Their concepts on life and of life are different. It is quite clear that Hindus and Mussalmans derive their inspiration from different sources of history. They have different epics, different heroes, and different episodes. Very often the hero of one is a foe of the other and, likewise, their victories and defeats overlap. To yoke together two such nations under a single state, one as a numerical minority and the other as a majority, must lead to growing discontent and final destruction of any fabric that may be so built up for the government of such a state . . .

Mussalmans are not a Minority as it is commonly known and understood. One has only got to look around. Even today, according to the British map of India, 4 out of 11 provinces, where the Muslims dominate more or less, are functioning notwithstanding the decision of the Hindu Congress High Command to non-co-operate and prepare for civil disobedience. Mussalmans are a nation according to any definition of a nation, and they must have their homelands, their territory and their State. We wish to live in peace and harmony with our neighbours as a free and independent people. We wish our people to develop to the fullest our spiritual, cultural, economic, social and political life in a way that we think best and in consonance with our own ideals and according to the genius of our people. Honesty demands and the vital interests of millions of our people impose a sacred duty upon us to find an honourable and peaceful solution, which would be just and fair to all. But at the same time we cannot be moved or diverted from our purpose and objective by threats or intimidations. We must be prepared to face all difficulties and consequences, make all the sacrifices that may be required of us to achieve the goal we have set in front of us.

Appendix E

Cripps Proposals (30 March, 1942)

His Majesty's Government therefore make the following declaration:

(*a*) Immediately upon the cessation of hostilities, steps shall be taken to set up in India, in the manner described hereafter, an elected body charged with the task of framing a new Constitution for India.

(*b*) Provision shall be made, as set out below, for the participation of the Indian States in the constitution-making body.

(*c*) His Majesty's Government undertake to accept and implement forthwith the constitution so framed subject only to:

(i) The right of any Province of British India that is not prepared to accept the new constitution to retain its present constitutional position, provision being made for its subsequent accession if it so decides. With such non-acceding Provinces, should they so desire, His Majesty's Government will be prepared to agree upon a new constitution, giving them the same full status as Indian Union, and arrived at by a procedure analogous to that here laid down.

(ii) The signing of a treaty which shall be negotiated between His Majesty's Government and the constitution-making body. This treaty will cover all necessary matters arising out of the complete transfer of responsibility from British to Indian hands; it will make provision, in accordance with the undertakings given by His Majesty's government, for the protection of racial and religious minorities; but will not impose any restriction on the power of the Indian Union to decide in the future its relationship to the other member States of the British Commonwealth.

(iii) Whether or not an Indian State elects to adhere to the constitution, it will be necessary to negotiate a revision of its treaty arrangements, so far as this may be required in the new situation.

(*d*) The constitution-making body shall be composed as follows, unless the leaders of Indian opinion in the principal communities agree upon some other form before the end of hostilities:

Immediately upon the result being known of the Provincial elections which will be necessary at the end of hostilities, the entire membership of the Lower Houses of the Provincial Legislatures shall, as a single electoral college, proceed to the election of the constitution-making body by the system of proportional representation. This new body shall be in number about one-tenth of the number of the electoral college.

Indian States shall be invited to appoint representatives in the same proportion to their total population as in the case of the representatives of British India as a whole, and with the same powers as the British Indian members.

(*e*) During the critical period which now faces India and until the new constitution can be framed His Majesty's Government must inevitably bear the responsibility for and retain control and direction of the defence of India as part of their world war effort, but the task of organizing to the full the military, moral and material resources of India must be the responsibility of the Government of India with the co-operation of the peoples of India. His Majesty's government desire and invite the immediate and effective participation of the leaders of the principal sections of the Indian people in the counsels of their country, of the Commonwealth and of the United Nations. Thus they will be enabled to give their active and constructive help in the discharge of a task which is vital and essential for the future freedom of India.

Appendix F

Cabinet Mission Proposals

15. . . .

We recommend that the Constitution should take the following basic form:

(1) There should be a Union of India, embracing both British India and the States which should deal with the following subjects: Foreign Affairs, Defence, and Communications; and should have the powers necessary to raise the finances required for the above subjects.

(2) The Union should have an Executive and a Legislature constituted from British Indian and States' representatives. Any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as a majority of all the members present and voting.

(3) All subjects other than the Union subjects and all residuary powers should vest in the Provinces.

(4) The States will retain all subjects and powers other than those ceded to the Union.

(5) Provinces should be free to form groups with Executives and Legislatures, and each group could determine the Provincial subjects to be taken in common.

(6) The Constitutions of the Union and of the groups should contain a provision whereby any Province could by a majority vote of its Legislative Assembly call for a reconsideration of the terms of the Constitution afer an initial period of ten years and at ten-yearly intervals thereafter.

16. It is not our object to lay out the details of a Constitution on the above programme but to set in motion machinery whereby a Constitution can be settled by Indians for Indians.

It has been necessary, however, for us to make this recommendation as to the broad basis of the future Constitution because it became clear to us in the course of our negotiation that not until that had been done was there any hope of getting the two major communities to join in the setting up of the constitution-making machinery.

17. We now indicate the constitution-making machinery which we propose should be brought into being forthwith in order to enable a new Constitution to be worked out.

18. In forming any assembly to decide a new constitutional structure the first problem is to obtain as broad-based and accurate a representation of the whole population as is possible. The most satisfactory method obviously would be by election based on adult franchise, but any attempt to introduce such a step now would lead to a wholly unacceptable delay in the formulation of the new Constitution. The only practicable course is to utilize the recently elected Provincial Legislative Assemblies as electing bodies. There are, however, two factors in their composition which make this difficult. First, the numerical strengths of Provincial Legislative Assemblies do not bear the same proportion to the total population in each Province. Thus, Assam, with a population of 10 million, has a Legislative Assembly of 108 members, while Bengal, with a population six times as large, has an Assembly of only 250. Secondly, owing to the weightage given to Minorities by the Communal Award, the strengths of the several communities in each Provincial Legislative Assembly are not in proportion to their numbers in the Province. Thus the number of seats reserved for Moslems in the Bengal Legislative Assembly is only 48 per cent of the total, although they form 55 per cent of the provincial population. After a most careful consideration of the various methods by which these points might be corrected, we have come to the conclusion that the fairest and most practicable plan would be—

(*a*) to allot to each Province a total number of seats proportional to its population, roughly in the ratio of one to a

million, as the nearest substitute for representation by adult suffrage;

(*b*) to divide this provincial allocation of seats between the main communities in each Province in proportion to their population;

(*c*) to provide that the representatives allocated to each community in a Province shall be elected by members of that community in its Legislative Assembly.

We think that for these purposes it is sufficient to recognize only three main communities in India, General, Moslem and Sikh, the 'General' community including all persons who are not Moslems or Sikhs. As smaller Minorities would upon a population basis have little or no representation, since they would lose the weightage which assures them seats in Provincial Legislatures, we have made the arrangements set out in paragraph 20 below to give them a full representation upon all matters of special interest to Minorities.

19. (*i*) . . .[1]

(*ii*) It is the intention that the States would be given in the final Constituent Assembly appropriate representation which would not, on the basis of the calculation of population adopted for British India, exceed 93; but the method of selection will have to be determined by consultation. The States would in the preliminary stage be represented by a Negotiating Committee.

(*iii*) Representatives thus chosen shall meet at New Delhi as soon as possible.

(*iv*) A preliminary meeting will be held at which the general order of business will be decided, a chairman and other officers elected and an Advisory Committee (*See* paragraph 20 below) on

[1] The omitted portion in Paragraph 19 gives the grouping of the provinces into sections as: (A) Madras, Bombay, United Provinces, Bihar, Central Provinces and Orissa; (B) Punjab, North-West Frontier Province and Sind and (C) Bengal and Assam. It also gives the number of seats allocated community-wise to each province.

rights of citizens, Minorities and Tribal and Excluded Areas set up. Thereafter the Provincial representatives will divide up into three Sections shown under A, B and C in the Table of Representation in sub-paragraph (*i*) of this paragraph.

(*v*) These Sections shall proceed to settle Provincial Constitutions for the Provinces included in each Section and shall also decide whether any group constitution shall be set up for those Provinces and if so with what Provincial subjects the group should deal. Provinces should have power to opt out of groups in accordance with the provisions of sub-clause (*viii*) below.

(*vi*) The representatives of the Sections and the Indian States shall reassemble for the purpose of settling the Union Constitution.

(*vii*) In the Union Constituent Assembly resolutions varying the provisions of paragraph 15 above or raising any major communal issue shall require a majority of the representatives present and voting of each of the two major communities. The Chairman of the Assembly shall decide which, if any, resolutions raise major communal issues and shall, if so requested by a majority of the representatives of either of the major communities, consult the Federal Court before giving his decision.

(*viii*) As soon as the new constitutional arrangements have come into operation it shall be open to any Province to elect to come out of any group in which it has been placed. Such a decision shall be taken by the Legislature of the Province after the first general election under the new Constitution.

20. The Advisory Committee on the rights of citizens, Minorities and Tribal and Excluded Areas will contain due representation of the interests affected and their function will be a report to the Union Constituent Assembly upon the list of fundamental rights, clauses for protecting Minorities, and a scheme for the administration of Tribal and Excluded Areas, and to advise whether these rights should be incorporated in the Provincial, the group or the Union Constitutions.

21. His Excellency the Viceroy will forthwith request the Provincial Legislatures to proceed with the election of their representatives and the States to set up a negotiating committee.

It is hoped that the process of constitution-making can proceed as rapidly as the complexities of the task permit so that the interim period may be as short as possible.

22. It will be necessary to negotiate a treaty between the Union Constituent Assembly and the United Kingdom to provide for certain matters arising out of the transfer of power.

Appendix G

Plan of 3 June, 1947

1. On February 20th, 1947, His Majesty's Government announced their intention of transferring power in British India to Indian hands by June 1948. His Majesty's Government had hoped that it would be possible for the major parties to co-operate in the working out of the Cabinet Mission's Plan of May 16th, 1946, and evolve for India a Constitution acceptable to all concerned. This hope has not been fulfilled.

2. The majority of the representatives of the Provinces of Madras, Bombay, the United Provinces, Bihar, Central Provinces and Berar, Assam, Orissa and the North-West Frontier Province, and the representatives of Delhi, Ajmer-Merwara and Coorg have already made progress in the task of evolving a new Constitution. On the other hand, the Muslim League Party, including in it a majority of the representatives of Bengal, the Panjab and Sind as also the representative of British Baluchistan, have decided not to participate in the Constituent Assembly.

3. It has always been the desire of His Majesty's Government that power should be transferred in accordance with the wishes of the Indian people themselves. This task would have been greatly facilitated if there had been agreement among the Indian political parties. In the absence of such an agreement, the task of devising a method by which the wishes of the Indian people can be ascertained has devolved upon His Majesty's Government. After full consultation with political leaders in India, His Majesty's Government have decided to adopt for this purpose the plan set out below. His Majesty's Government wish to make it clear that they have no intention of attempting to frame any ultimate Constitution for India; this is a matter for the Indians themselves. Nor is there anything in this plan to preclude negotiations between communities for a united India.

4. It is not the intention of His Majesty's Government to interrupt the work of the existing Constituent Assembly. Now that

provision is made for certain Provinces specified below, His Majesty's Government trust that, as a consequence of this announcement the Muslim League representatives of those Provinces, a majority of whose representatives are already participating in it, will now take their due share in its labours. At the same time, it is clear that any Constitution framed by this Assembly cannot apply to those parts of the country which are unwilling to accept it. His Majesty's Government are satisfied that the procedure outlined below embodies the best practical method of ascertaining the wishes of the people of such areas on the issue whether their Constitution is to be framed: (a) in the existing Constituent Assembly; or (b) in a new and separate Constituent Assembly consisting of the representatives of those areas which decide not to participate in the existing Constituent Assembly. When this has been done, it will be possible to determine the authority or authorities to whom power should be transferred.

5. The Provincial Legislative Assemblies of Bengal and the Panjab (excluding the European members) will, therefore, each be asked question in two parts, one representing the Muslim-majority districts and the other the rest of the Province. For the purpose of determining the population of districts, the 1941 census figures will be taken as authoritative. The Muslim-majority districts in these two Provinces are set out in the Appendix to this announcement.

6. The Members of the two parts of each Legislative Assembly sitting separately will be empowered to vote whether or not the Province should be partitioned. If a simple majority of either part decides in favour of partition, division will take place and arrangements will be made accordingly.

7. Before the question as to the partition is decided, it is desirable that the representatives of each part should know in advance which Constituent Assembly the Province as a whole would join in the event of the two parts subsequently deciding to remain united. Therefore, if any member of either Legislative Assembly so demands, there shall be held a meeting of all members of the

Legislative Assembly (other than Europeans) at which a decision will be taken on the issue as to which Constituent Assembly the Province as a whole would join if it were decided by the two parts to remain united.

8. In the event of partition being decided upon, each part of the Legislative Assembly will, on behalf of the areas they represent, decide which of the alternatives in paragraph 4 above to adopt.

9. For the immediate purpose of deciding on the issue of partition, the Members of the Legislative Assemblies of Bengal and the Panjab will sit in two parts according to Muslim-majority districts (as laid down in the Appendix) and non-Muslim-majority districts. This is only a preliminary step of a purely temporary nature as it is evident that for the purposes of a final partition of these Provinces a detailed investigation of boundary questions will be needed; and as soon as a decision involving partition has been taken for either Province, a Boundary Commission will be set up by the Governor-General, the membership and terms of reference of which will be settled in consultation with those concerned. It will be instructed to demarcate the boundaries of the two parts of the Panjab on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims. It will also be instructed to take into account other factors. Similar instructions will be given to the Bengal Boundary Commission. Until the report of a Boundary Commission has been put into effect, the provisional boundaries indicated in the Appendix will be used.

10. The Legislative Assembly of Sind (excluding the European Members) will, at a special meeting, also take its own decision on the alternatives in paragraph 4 above.

11. The position of the North-West Frontier Province is exceptional. Two of the three representatives of this Province are already participating in the existing Constituent Assembly. But it is clear, in view of its geographical situation, and other considerations, that if the whole or any part of the Panjab decides not to join the existing Constituent Assembly, it will be necessary to give the

North-West Frontier Province an opportunity to reconsider its position. Accordingly, in such an event, a referendum will be made to the electors of the present Legislative Assembly in the North-West Frontier Province to choose which of the alternatives mentioned in paragraph 4 above they wish to adopt. The referendum will be held under the aegis of the Governor-General and in consultation with the Provincial Government.

12. British Baluchistan has elected a Member but he has not taken his seat in the existing Constituent Assembly. In view of its geographical situation, this Province will also be given an opportunity to reconsider its position and to choose which of the alternatives in paragraph 4 above to adopt. His Excellency the Governor-General is examining how this can most appropriately be done.

13. Though Assam is predominantly a non-Muslim Province, the district of Sylhet which is contiguous to Bengal is predominantly Muslim. There has been a demand that, in the event of the partition of Bengal, Sylhet should be amalgamated with the Muslim part of Bengal. Accordingly, if it is decided that Bengal should be partitioned, a referendum will be held in Sylhet district under the aegis of the Governor-General and in consultation with the Assam Provincial Government to decide whether the district of Sylhet should continue to form part of the Assam Province or should be amalgamated with the new Province of Eastern Bengal, if that Province agrees. If the referendum results in favour of amalgamation with Eastern Bengal, a Boundary Commission with terms of reference similar to those for the Panjab and Bengal will be set up to demarcate Muslim-majority areas of Sylhet district and contiguous Muslim-majority areas of adjoining districts, which will then be transferred to Eastern Bengal. The rest of the Assam Province will in any case continue to participate in the proceedings of the existing Constituent Assembly.

14. If it is decided that Bengal and the Panjab should be partitioned, it will be necessary to hold fresh elections to choose their representatives on the scale of one for every million of population

according to the principle contained in the Cabinet Mission's Plan of May 16th, 1946. Similar elections will also have to be held for Sylhet in the event of it being decided that this district should form part of East Bengal. The number of representatives to which each area would be entitled is as follows:—

Province	*General*	*Muslims*	*Sikhs*	*Total*
Sylhet District	1	2	*Nil*	3
West Bengal	15	4	*Nil*	19
East Bengal	12	29	*Nil*	41
West Panjab	3	12	2	17
East Panjab	6	4	2	12

15. In accordance with the mandates given to them, the representatives of the various areas will either join the existing Constituent Assembly or form the new Constituent Assembly.

16. Negotiations will have to be initiated as soon as possible on the administrative consequences of any partition that may have been decided upon

(*a*) between the representatives of the respective successor authorities about all subjects now dealt with by the Central Government including Defence, Finance and Communications;

(*b*) between different successor authorities and His Majesty's Government for treaties in regard to matters arising out of the transfer of power;

(*c*) in the case of Provinces that may be partitioned, as to the administration of all Provincial subjects, such as the division of assets and liabilities, the police and other Services, the High Courts, provincial institutions, etc.

17. Agreements with tribes of the North-West Frontier of India will have to be negotiated by the appropriate successor authority.

18. His Majesty's Government wish to make it clear that the decisions announced above relate only to British India and that their policy towards Indian States contained in the Cabinet Mission Memorandum of May 12th, 1946, remains unchanged.

19. In order that the successor authorities may have time to prepare themselves to take over power, it is important that all the above processes should be completed as quickly as possible. To avoid delay, the different Provinces or parts of Provinces will proceed independently as far as practicable within the conditions of this Plan. The existing Constituent Assembly and the new Constituent Assembly (if formed) will proceed to frame Constitutions for their respective territories; they will, of course, be free to frame their own rules.

20. The major political parties have repeatedly emphasized their desire that there should be the earliest possible transfer of power in India. With this desire His Majesty's Government are in full sympathy and they are willing to anticipate the date June 1948 for the handing over of power by the setting up of an independent Indian Government or Governments at an even earlier date. Accordingly as the most expeditious and indeed the only practicable way of meeting this desire, His Majesty's Government propose to introduce legislation during the current session for the transfer of power this year on a Dominion Status basis to one or two successor authorities according to the decisions taken as a result of this announcement. This will be without prejudice to the right of the Indian Constituent Assemblies to decide in due course whether or not the part of India in respect of which they have authority will remain within the British Commonwealth.

21. His Excellency the Governor-General will from time to time make such further announcements as may be necessary in regard to procedure or any other matters for carrying out the above arrangements.

Annexure A

Muslim-majority districts of the Panjab and Bengal according to 1941 Census (vide *paragraph 5 of the statement*)

1. PANJAB

Lahore Division: Gujranwala, Gurdaspur, Lahore, Sheikhupura, and Sialkot.

Rawalpindi Division: Attock, Gujrat, Jhelum, Mianwali, Rawalpindi, and Shahpur.

Multan Division: Dera Ghazi Khan, Jhang, Lyallpur, Montgomery, Multan, and Muzaffargarh.

2. BENGAL

Chittagong Division: Chittagong, Noakhali, and Tipperah.

Dacca Division: Bakarganj, Dacca, Faridpur, and Mymensingh.

Presidency Division: Jessore, Murshidabad, and Nadia.

Rajshahi Division: Bogra, Dinajpur, Malda, Pabna, Rajshahi, and Rangpur.

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Dr. Qureshi participated in the Khilafat Movement. He was a member of the Pakistan National Movement at Cambridge in association with Choudhary Rahmat Ali. He was elected to the Constituent Assembly of India and then to the Constituent Assembly of Pakistan. He has had the advantage of personal contacts with the top leaders of the Khilafat and the Muslim League Movements. He was a member of the Government of Pakistan from 1949-1954 as duputy minister, then minister of state and finally as minister with cabinet rank. For about two years he held the portfolio of education. In recognition of his services he was decorated with the high order of Sitara-i-Pakistan (Star of Pakistan).

Dr. Qureshi is the author or several books which have been welcomed in scientific and literary circles. More Important among his books are : *The Administration of the Sultanate of Delhi. The Pakistani way of life, Pakistan as an Islamic Democracy, The Muslim Community of the Indo-Pakistan Subcontinent, Ulema in Politics,* and *Education in Pakistan.* He has aiso contributed chapters to *Sources of Indian Tradition ; A Histoy of the Freedom Movement ; Traditions, Values, and Socio-Economic Development ; The History and Culture of the Indian People ; Foreign Policy in a World of Change ;* and papers to various learned journals.

Dr. Qureshi's writings on modern history are scientific and fully documented, but he adds a new dimension to the facts because of his intimate knowledge of the background gained through his own participation in the happenings about which he writes. Deposite the scientific quality of his books, "he does not write from an ivory tower or professional armchair: he tells of events *quorum pars magna fuit.*"